

110TH CONGRESS
1ST SESSION

H. R. 2821

To amend section 122 of title 17, United States Code, and the Communications Act of 1934 to permit satellite carriers and cable operators to retransmit the signals of local television broadcast stations to their adjacent markets, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2007

Mr. ROSS (for himself, Mrs. CUBIN, and Mr. BOREN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 122 of title 17, United States Code, and the Communications Act of 1934 to permit satellite carriers and cable operators to retransmit the signals of local television broadcast stations to their adjacent markets, 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 “Television Freedom
5 Act of 2007”.

1 **SEC. 2. SECONDARY TRANSMISSIONS BY SATELLITE CAR-**
2 **RIERS WITHIN LOCAL MARKETS.**

3 Section 122 of title 17, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by inserting “or adjacent market” after “sta-
8 tion’s local market”;

9 (B) in paragraph (2), by striking “and”
10 after the semicolon;

11 (C) in paragraph (3), by striking the pe-
12 riod at the end and inserting “; and”; and

13 (D) by adding at the end the following new
14 paragraph:

15 “(4) in the case of a satellite carrier that makes
16 secondary transmissions into a television broadcast
17 station’s adjacent market, the satellite carrier also
18 makes secondary transmissions into that market of
19 the signals of the television broadcast stations lo-
20 cated in that market.”;

21 (2) in subsections (d) an (e), by inserting “or
22 adjacent market” after “into the local market”;

23 (3) in subsection (f), by inserting “or adjacent
24 market” after “station’s local market” in para-
25 graphs (1) and (2);

1 (4) in subsection (g), by inserting “or adjacent
2 market” after “station’s local market”; and

3 (5) in subsection (j), by adding at the end the
4 following:

5 “(6) ADJACENT MARKET.—The term ‘adjacent
6 market’, in the case of both commercial and non-
7 commercial television broadcast stations, means any
8 designated market area adjacent to, and at least
9 partially in the same State as, the designated mar-
10 ket area in which the station is located.”.

11 **SEC. 3. AMENDMENTS TO THE COMMUNICATIONS ACT OF**
12 **1934.**

13 (a) RETRANSMISSION CONSENT.—Section 325(b)(2)
14 of the Communications Act of 1934 (47 U.S.C. 325(b)(2))
15 is amended—

16 (1) by striking “or” at the end of subparagraph
17 (D);

18 (2) by striking the period at the end of sub-
19 paragraph (E) and inserting “; or”; and

20 (3) by inserting after subparagraph (E) the fol-
21 lowing new subparagraph:

22 “(F) to retransmission of the signals of a
23 television broadcast station to a subscriber lo-
24 cated in the station’s adjacent market—

1 “(i) by a satellite carrier directly to
2 the satellite antenna of the subscriber
3 under section 122 of title 17, United
4 States Code, or

5 “(ii) by a cable operator or other mul-
6 tichannel video programmer, other than a
7 satellite carrier, to the subscriber.”; and

8 (4) in the last sentence, by striking “the term
9 ‘local market’ has the meaning that term” and in-
10 serting “the terms ‘local market’ and ‘adjacent mar-
11 ket’ have the meanings given such terms”.

12 (b) CARRIAGE OF DISTANT SIGNALS.—Section
13 339(a)(1)(B) of such Act (47 U.S.C. 339(a)(1)(B)) is
14 amended by inserting “or adjacent market” after “local
15 market”.

16 (c) WAIVER OF DUPLICATION RULES.—

17 (1) WAIVER REQUIRED.—Within 90 days after
18 the date of enactment of this Act, the Federal Com-
19 munications Commission shall commence a pro-
20 ceeding to revise the regulations concerning network
21 nonduplication protection, syndicated exclusivity pro-
22 tection, and sports blackout protection (47 CFR
23 part 76) against the retransmission by a cable oper-
24 ator or by a satellite carrier of signals of network
25 stations to subscribers to permit such retransmission

1 if the subscriber receiving the signals is located in
2 the station's adjacent market (as such term is de-
3 fined in section 122(j)(6) of title 17, United States
4 Code).

5 (2) DEADLINE FOR ACTION.—The Commission
6 shall complete all actions necessary to prescribe the
7 revised regulations required by paragraph (1) within
8 180 days after the date of enactment of this Act.

○