

110TH CONGRESS  
1ST SESSION

# S. 760

To provide certain counties with the ability to receive television broadcast signals of their choice.

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IN THE SENATE OF THE UNITED STATES

MARCH 5, 2007

Mr. SALAZAR introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide certain counties with the ability to receive television broadcast signals of their choice.

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 “Four Corners Tele-  
5 vision Access Act of 2007”.

6 **SEC. 2. SATELLITE CARRIAGE OF TELEVISION BROADCAST**  
7 **SIGNALS.**

8 Section 119(a)(2)(C) of title 17, United States Code,  
9 is amended—

10 (1) by redesignating clause (v) as clause (vi);

1 (2) by inserting after clause (v) the following:

2 “(v) FURTHER ADDITIONAL STA-  
3 TIONS.—If 2 adjacent counties in a single  
4 State are in a local market comprised prin-  
5 cipally of counties located in another State,  
6 the statutory license provided for in sub-  
7 paragraph (A) shall apply to the secondary  
8 transmission by a satellite carrier to sub-  
9 scribers in those 2 counties of the primary  
10 transmissions of any network station lo-  
11 cated in the capital of the State in which  
12 such 2 counties are located, if—

13 “(I) the 2 counties are located in  
14 the 46th largest designated market  
15 area for the year 2005 according to  
16 Nielsen Media Research; and

17 “(II) the total number of tele-  
18 vision households in the 2 counties  
19 combined did not exceed 30,000 for  
20 the year 2005 according to Nielsen  
21 Media Research.”; and

22 (3) in clause (vi) as redesignated, by striking  
23 “and (iv)” and inserting “(iv), and (v)”.

1 **SEC. 3. WAIVER OF RETRANSMISSION RULES FOR CERTAIN**  
 2 **SATELLITE CARRIERS.**

3 (a) IN GENERAL.—Chapter 1 of title 17, United  
 4 States Code, is amended by inserting after section 119 the  
 5 following:

6 **“§ 119A. Waiver of secondary transmission rules**

7 “Notwithstanding any other provision of law, a sat-  
 8 ellite carrier, cable system, or translator station that elects  
 9 to provide the secondary transmission of a performance  
 10 or display of a work embodied in a primary transmission  
 11 made by a network station located in a State only to sub-  
 12 scribers in that State who otherwise would not receive the  
 13 primary transmission of such network because such sub-  
 14 scribers are determined to be located in a designated mar-  
 15 ket area outside of that State may do so if—

16 “(1) the Federal Communications Commission  
 17 determines that it is in the best interest of the pub-  
 18 lic welfare; and

19 “(2) such satellite carrier, cable system, or  
 20 translator station agrees to also provide the sec-  
 21 ondary transmission of the primary transmission of  
 22 the network station in the assigned designated mar-  
 23 ket area.”.

24 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
 25 The table of sections for chapter 1 of title 17, United

1 States Code, is amended by inserting after the item relat-  
 2 ing to section 119 the following:

“119A. Waiver of secondary transmission rules.”.

3 **SEC. 4. CABLE CARRIAGE OF TELEVISION BROADCAST SIG-**  
 4 **NALS.**

5 Part I of title III of the Communications Act of 1934  
 6 (47 U.S.C. 301 et seq.) is amended by adding at the end  
 7 the following:

8 **“SEC. 342. CARRIAGE OF SIGNALS TO CERTAIN TELEVISION**  
 9 **MARKET AREAS.**

10 “(a) IN GENERAL.—Notwithstanding any other pro-  
 11 vision of law, each cable operator providing service in an  
 12 eligible area may elect to carry the primary signal of any  
 13 network station located in the capital of the State in which  
 14 such area is located.

15 “(b) DEFINITIONS.—As used in this section:

16 “(1) ELIGIBLE AREA.—The term ‘eligible area’  
 17 means 1 of 2 counties that—

18 “(A) are all in a single State;

19 “(B) on the date of enactment of the Four  
 20 Corners Television Access Act of 2007, were  
 21 each located in—

22 “(i) the 46th largest designated mar-  
 23 ket area for the year 2005 according to  
 24 Nielsen Media Research; and

1                   “(ii) a designated market area com-  
2                   prised principally of counties located in an-  
3                   other State; and

4                   “(C) as a group had a total number of tel-  
5                   evision households that when combined did not  
6                   exceed 30,000 for the year 2005 according to  
7                   Nielsen Media Research.

8                   “(2) NETWORK STATION.—The term ‘network  
9                   station’ has the same meaning as in section 119(d)  
10                  of title 17, United States Code.”.

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