

116TH CONGRESS  
1ST SESSION

# H. R. 5140

To amend title 17, United States Code, to narrow the category of households eligible to receive signals under a distant-signal satellite license, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2019

Mr. NADLER introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend title 17, United States Code, to narrow the category of households eligible to receive signals under a distant-signal satellite license, 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 Television  
5 Community Protection and Promotion Act of 2019”.

6 **SEC. 2. ELIGIBILITY TO RECEIVE SIGNALS UNDER A DIS-**  
7 **TANT-SIGNAL SATELLITE LICENSE.**

8 (a) IN GENERAL.—Section 119 of title 17, United  
9 States Code, is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (2)—

3 (i) in subparagraph (A)—

4 (I) by striking “signals, and” and  
5 inserting “signals,”; and

6 (II) by inserting “, and the car-  
7 rier provides local-into-local service to  
8 all DMAs” after “receiving the sec-  
9 ondary transmission”; and

10 (ii) in subparagraph (B)—

11 (I) by striking clauses (ii) and  
12 (iii); and

13 (II) by adding at the end the fol-  
14 lowing:

15 “(ii) SHORT MARKETS.—In the case  
16 of secondary transmissions to households  
17 located in short markets, subject to clause  
18 (i), the statutory license shall be further  
19 limited to secondary transmissions of only  
20 those primary transmissions of network  
21 stations that embody the programming of  
22 networks not offered on the primary  
23 stream or the multicast stream transmitted  
24 by any network station in that market.”;

1 (B) by striking paragraphs (3), (6)(E),  
2 (9), (10), and (13); and

3 (C) by redesignating paragraphs (4), (5),  
4 (6), (7), (8), (11), (12), and (14) as paragraphs  
5 (3) through (10), respectively;  
6 (2) in subsection (c)(1)(E)—

7 (A) by striking the comma after “in the  
8 agreement”;

9 (B) by striking “until December 31, 2019,  
10 or”; and

11 (C) by striking “, whichever is later” and  
12 inserting “until the subscriber for which the  
13 royalty is payable is no longer eligible to receive  
14 a secondary transmission pursuant to the li-  
15 cense under this section”;

16 (3) in subsection (d)—

17 (A) in paragraph (10)—

18 (i) in subparagraph (D), by striking  
19 “subsection (a)(11)” and inserting “sub-  
20 section (a)(8)”;

21 (ii) by striking subparagraphs (A),  
22 (B), (C), and (E);

23 (iii) by redesignating subparagraph  
24 (D) as subparagraph (A); and

1 (iv) by adding at the end the fol-  
2 lowing:

3 “(B) is a subscriber located in a short  
4 market.”;

5 (B) by striking paragraph (13);

6 (C) by redesignating paragraphs (14) and  
7 (15) as paragraphs (13) and (14), respectively;  
8 and

9 (D) by adding at the end the following:

10 “(15) LOCAL-INTO-LOCAL SERVICE TO ALL  
11 DMAS.—The term ‘local-into-local service to all  
12 DMAs’ has the meaning given such term in sub-  
13 section (f)(7).

14 “(16) SHORT MARKET.—The term ‘short mar-  
15 ket’ means a local market in which programming of  
16 one or more of the four most widely viewed television  
17 networks nationwide is not offered on either the pri-  
18 mary stream or multicast stream transmitted by any  
19 network station in that market.”;

20 (4) by striking subsections (e) and (h); and

21 (5) by redesignating subsections (f) and (g) as  
22 subsections (e) and (f).

23 (b) PREVIOUSLY COVERED SUBSCRIBERS UNDER  
24 THE STELA REAUTHORIZATION ACT OF 2014.—

1           (1) IN GENERAL.—A subscriber of a satellite  
2 carrier who receives the secondary transmission of a  
3 network station under the statutory license in sec-  
4 tion 119 of title 17, United States Code, as in effect  
5 on the day before the date of the enactment of this  
6 Act, and to whom subsection (a)(2)(B) of such sec-  
7 tion, as amended by subsection (a), does not apply,  
8 shall continue to be eligible to receive that secondary  
9 transmission from such carrier under such license,  
10 and at the royalty rate established for such license  
11 by the Copyright Royalty Board or voluntary agree-  
12 ment, as applicable, until the date that is the earlier  
13 of—

14                   (A) 120 days after the date of the enact-  
15                   ment of this Act; or

16                   (B) the date on which such carrier pro-  
17                   vides local-into-local service to all DMAs.

18           (2) DEFINITIONS.—In this subsection, the  
19 terms “satellite carrier”, “subscriber”, “secondary  
20 transmission”, “network station”, and “local-into-  
21 local service to all DMAs” have the meaning given  
22 those terms in section 119 of title 17, United States  
23 Code.

24           (c) CONFORMING AMENDMENTS.—Title 17, United  
25 States Code, is further amended—

1           (1) in section 119, as amended by subsection  
2           (a)—  
3                 (A) in subsection (a)—  
4                     (i) in paragraph (1), by striking  
5                     “paragraphs (4), (5), and (7)” and insert-  
6                     ing “paragraphs (3), (4), and (6)”; and  
7                     (ii) in paragraph (2), by striking  
8                     “paragraphs (4), (5), (6), and (7)” and in-  
9                     serting “paragraphs (3), (4), (5), and (6)”;  
10                    and  
11                    (B) in subsection (g), by striking “sub-  
12                    section (a)(7)(B)” each place it appears and in-  
13                    serting “subsection (a)(5)(B)”; and  
14           (2) in section 501(e), by striking “section  
15           119(a)(5)” and inserting “section 119(a)(3)”.

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