

116TH CONGRESS
1ST SESSION

H. R. 5025

To amend the Communications Act of 1934 and title 17, United States Code, to enhance the ability of direct broadcast satellite providers to offer additional local broadcast services to consumers under limited circumstances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2019

Mr. SMITH of Nebraska introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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 the Communications Act of 1934 and title 17, United States Code, to enhance the ability of direct broadcast satellite providers to offer additional local broadcast services to consumers under limited circumstances, 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 “Western Expanded In-
5 State Television Access Act of 2019” or the “WEST Ac-
6 cess Act”.

1 **SEC. 2. SECONDARY TRANSMISSIONS OF LOCAL TELE-**
2 **VISION PROGRAMMING BY SATELLITE.**

3 Section 122(a)(4) of title 17, United States Code, is
4 amended by adding at the end the following:

5 “(F) CERTAIN NETWORK STATIONS.—On
6 January 1, 2019, if 16 counties in a single
7 State were in a local market comprised prin-
8 cipally of counties located in another State and
9 within the top 120 markets for the year 2019
10 according to Nielsen Media Research, the statu-
11 tory license provided for in this paragraph shall
12 apply to the secondary transmission by a sat-
13 ellite carrier to subscribers in any of those 16
14 counties of the primary transmissions of any
15 network station assigned to a local market that
16 includes not more than 4 counties in the State
17 in which such 16 counties are located and all
18 counties encompassed by such local market are
19 located in the same time zone.”.

20 **SEC. 3. CARRIAGE OF LOCAL TELEVISION SIGNALS BY SAT-**
21 **ELLITE CARRIERS.**

22 Section 338(l) of the Communications Act of 1934
23 (47 U.S.C. 338(l)) is amended—

24 (1) by redesignating paragraphs (3), (4), and
25 (5) as paragraphs (4), (5), and (6), respectively; and

1 (2) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) SPECIAL CONSIDERATION FOR REQUESTS
4 INVOLVING AN ORPHAN COUNTY.—Pursuant to a re-
5 quest under paragraph (1), the Commission may
6 modify the local market of a television broadcast sta-
7 tion to add an orphan county, as defined by the
8 Commission, solely on the basis of paragraph
9 (2)(B)(iii), if the Commission considers whether the
10 station provides programming specifically related to
11 the State of residence of the orphan county sub-
12 scribers.”.

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