

AMENDMENT
(SATELLITE HOME VIEWER REAUTHORIZATION
ACT OF 2009)
OFFERED BY Ms. ESHOO OF CALIFORNIA

At the end of the bill, add the following new section:

1 **SEC. ____ . NONDISCRIMINATION IN CARRIAGE OF HIGH**
2 **DEFINITION DIGITAL SIGNALS OF NON-**
3 **COMMERCIAL EDUCATIONAL TELEVISION**
4 **STATIONS.**

5 (a) **IN GENERAL.**—Section 338(a) of the Commu-
6 nications Act of 1934 (47 U.S.C. 338(a)) is amended by
7 adding at the end the following new paragraph:

8 “(5) **NONDISCRIMINATION IN CARRIAGE OF**
9 **HIGH DEFINITION SIGNALS OF NONCOMMERCIAL**
10 **EDUCATIONAL TELEVISION STATIONS.—**

11 “(A) **EXISTING CARRIAGE OF HIGH DEFI-**
12 **NITION SIGNALS.**—Each eligible satellite carrier
13 providing, under section 122 of title 17, United
14 States Code, any secondary transmissions in
15 high definition to subscribers located within the
16 local market of a television broadcast station of
17 a primary transmission made by that station
18 prior to the date of enactment of this para-

1 graph shall carry the high-definition signals of
2 qualified noncommercial educational television
3 stations located within that local market in ac-
4 cordance with the following schedule:

5 “(i) By December 31, 2010, in at
6 least 50 percent of the markets in which
7 such satellite carrier provides such sec-
8 ondary transmissions in high definition.

9 “(ii) By December 31, 2011, in every
10 market in which such satellite carrier pro-
11 vides such secondary transmissions in high
12 definition.

13 “(B) NEW INITIATION OF SERVICE.—Each
14 eligible satellite carrier that initiates the provi-
15 sion, under section 122 of title 17, United
16 States Code, of any secondary transmissions in
17 high definition to subscribers located within the
18 local market of a television broadcast station of
19 a primary transmission made by that station
20 after the date of enactment of this paragraph
21 shall carry the high-definition signals of all
22 qualified noncommercial educational television
23 stations located within that local market.”.

24 (b) DEFINITIONS.—Section 338(k) of such Act (47
25 U.S.C. 338(k)) is amended—

1 (1) by redesignating paragraphs (2) through
2 (8) as paragraphs (3) through (9), respectively;

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

5 “(2) ELIGIBLE SATELLITE CARRIER.—The term
6 ‘eligible satellite carrier’ means any satellite carrier
7 that is not a party to a carriage contract with a
8 qualified noncommercial educational television sta-
9 tion, or its representative, that is in force and effect
10 as of the date of enactment of this paragraph.”;

11 (3) by redesignating paragraphs (6) through
12 (9) (as previously redesignated) as paragraphs (7)
13 through (10), respectively; and

14 (4) by inserting after paragraph (5) the fol-
15 lowing new paragraph:

16 “(6) QUALIFIED NONCOMMERCIAL EDU-
17 CATIONAL TELEVISION STATION.—The term ‘quali-
18 fied noncommercial educational television station’
19 has the meaning given such term in section
20 615(l)(1) of this Act.”.

