

112TH CONGRESS
1ST SESSION

H. R. 1203

To amend title 17, United States Code, to include the United States territories in the application of certain statutory copyright licenses related to low power television stations.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2011

Mr. PIERLUISI (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 17, United States Code, to include the United States territories in the application of certain statutory copyright licenses related to low power television stations.

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 “Fairness for the U.S.
5 Territories Under STELA Act”.

6 **SEC. 2. COPYRIGHT AMENDMENT.**

7 Section 122(a)(3) of title 17, United States Code, is
8 amended—

1 (1) in subparagraph (A), by adding at the end
2 the following: “For the purposes of this subpara-
3 graph only, each of the following shall be considered
4 a separate designated market area: American
5 Samoa, Guam, the Northern Mariana Islands, Puer-
6 to Rico, and the United States Virgin Islands.”;

7 (2) in subparagraph (B), by striking “subpara-
8 graph (A)” and inserting “subparagraphs (A) and
9 (D)”;

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(D) CERTAIN TERRITORIES.—Notwith-
13 standing subparagraph (A), but subject to sub-
14 paragraphs (B) and (C), secondary trans-
15 mission of a performance or display of a work
16 embodied in a primary transmission of a tele-
17 vision broadcast station shall be subject to stat-
18 utory licensing under this paragraph if the sec-
19 ondary transmission is of the primary trans-
20 mission of a television broadcast station that—

21 “(i) qualifies as a specialty station
22 pursuant to the rules and regulations of
23 the Federal Communications Commission
24 in effect on June 24, 1981; and

1 “(ii) is licensed as a low power tele-
2 vision station located in American Samoa,
3 Guam, the Northern Mariana Islands,
4 Puerto Rico, or the United States Virgin
5 Islands, to a subscriber who resides within
6 the same territory as the station that origi-
7 nates the transmission.”.

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