

STATEMENT OF CONGRESSMAN RICK BOUCHER

Subcommittee on Communication, Technology and the Internet Markup: HR 2994: Bill to Reauthorize the Satellite Home Viewer Extension and Reauthorization Act

June 25, 2009

Today the Subcommittee convenes to mark up H.R. 2994, the Satellite Home Viewer Reauthorization Act, which I introduced with the Ranking Republican Member Cliff Stearns. Certain provisions of the Communications and Copyright Acts expire at the end of this year, making reauthorization of the ability of satellite carriers to retransmit distant network signals must pass legislation.

At the Subcommittee's hearings on this matter, I suggested that we proceed with the reauthorization in the most straightforward manner possible. I am pleased that we are following that course today and are avoiding in H.R. 2994 collateral matters such as retransmission consent reform that are relevant to all multichannel video platforms, not just to satellite.

The Satellite Home Viewer Reauthorization Act, or SHVRA has these key provisions:

- Renews for 5 years the provision allowing carriers to deliver a distant network station to homes under specified circumstances, which otherwise would expire at the end of this year.
- Reauthorizes the good faith negotiation requirements in the Communications Act that otherwise would expire at the end of this year.
- Provides needed clarification regarding the provision by satellite carriers of significantly viewed signals, by stating that a significantly viewed signal may only be provided in high definition format if the satellite carrier is passing through all of the high definition programming of the corresponding local station in high definition format as well.
- Directs the FCC to develop a predictive methodology for the reception of digital signals within 6 months in order to determine which households are eligible to receive distant network signals.
- Makes technical changes to the law to reflect the fact that after last Friday, full-power television stations are no longer broadcasting analog signals.

There are additional matters that are not addressed in H.R. 2994 that are the subjects of ongoing discussions between now and the full Committee markup. It is my hope that we will be able to resolve these matters over the coming weeks. The first of these matters was brought to us by the gentleman from Michigan, Mr. Stupak. His effort is to bring local satellite services to all 210 designated market areas nationwide. Today, DirecTV offers local service in about 150

markets, while DISH will soon offer it in 182 markets; however, that will still leave about 28 markets without any local service.

I commend all of the stakeholders who have been taking part in ongoing discussions. I can report this morning that we are very close to agreement on an arrangement through which all 210 markets will receive local satellite-delivered service. This will be a victory not only for broadcasters and for satellite carriers, but also, and most importantly, for TV consumers.

Another matter I look forward to resolving both here and in the Judiciary Committee is ensuring that residents in short markets can receive the programs of networks missing in their market from an adjacent DMA if the signals of those missing networks are not already being offered by a local full-power broadcaster on a multicast stream. While satellite carriers can today import distant signals from any market, they are hindered in their desire to bring in adjacent market signals by the so-called “Grade B bleed” problem, which prevents them from offering distant signals to those households that can receive the signal of an out of market network affiliate over the air. That problem can and should be usefully addressed.

I want to thank Mr. Stearns and all Subcommittee members for the cooperative manner in which we have moved from oversight and legislative hearings to this markup.