

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 3:29 PM
To: Rafael Fernandez
Subject: FW: S. 328 (Senate's DTV Delay Act)

From: Rosemary Harold
Sent: Tuesday, January 27, 2009 1:49 PM
To: RMCDSTAFF
Subject: S. 328 (Senate's DTV Delay Act)

Thanks to intern Jonathan Havens, the full (and very short) text of the legislation as passed by the Senate is pasted in below. Highlights:

- Pushes back end of analog broadcasting from Feb. 17, 2009 to June 12, 2009.
- Extends the license terms for the "recovered" TV spectrum to June 12, 2009 (a 116-day period).
- Allows NTIA to issue replacement coupons (up to the original limit of two per household) for any household that requests a replacement for coupons that expired.
- Permits TV licensees to terminate their analog signal before June 12, 2009, "so long as such termination is conducted in accordance with the FCC's requirements in effect on the date of enactment of this Act, including the flexible procedures" for notice of early termination in the Third Periodic. As I read that language, this gives stations the right to terminate at any time during the extension period as long as they have given us at least 30 days notice, which is what is required right now under the Third Periodic. (Until the rules got more flexible last October, they had to give us 90 days notice.)
- Please also note that the DTV Delay Act provides both the FCC and NTIA broad authority to make new/revised rules to implement the bill, though we must do so within 30 days. Presumably what to do about notice requirements, both to us and to consumers, is going to be a big part of the FCC implementation decisions.
- If a station terminates early and thereby frees up spectrum on the higher channels to be devoted to public safety uses (frequencies between 768-776 MHz and 798-806 MHz), the FCC "may" permit public safety entities to start using that spectrum for those uses if the FCC determines such use would (1) serve the public interest, and (2) not cause harmful interference to either DTV or existing analog TV signals. The FCC has authority to use expedited procedures to process applications for this purposes.
- Extends relevant auction authority to 2012.

As I noted earlier, the DTV Delay Act does not address the provision of additional funding to either the NTIA for the coupon program or us for consumer outreach (e.g., call center, boots-on-ground) or any other component of this. Reportedly \$650 million for the purpose, currently designated to go to NTIA alone, is in the stimulus package. OLA also reports that there is some Hill staff understanding that the money needs to be divvied up between the two agencies, with the bulk to go to NTIA. Mechanics on how to do that remain pending.

From: Jonathan Havens
Sent: Tuesday, January 27, 2009 12:42 PM

3/6/2009

To: Rosemary Harold
Subject: S. 328

DTV Delay Act (Engrossed as Agreed to or Passed by Senate)

S 328 ES

111th CONGRESS
 1st Session
S. 328

AN ACT

To postpone the DTV transition date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `DTV Delay Act'.

SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.

(a) IN GENERAL- Section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended--

(1) by striking `February 18, 2009;' in paragraph (1) and inserting `June 13, 2009;'; and

(2) by striking `February 18, 2009,' in paragraph (2) and inserting `that date'.

(b) EXTENSION OF COUPON PROGRAM- Section 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amended by striking `March 31, 2009,' and inserting `July 31, 2009,'.

(c) Conforming Amendments-

(1) Section 3008(a)(1) of that Act (47 U.S.C. 309 note) is amended by striking `February 17, 2009.' and inserting `June 12, 2009.'.

(2) Section 309(j)(14)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)(A)) is amended by striking `February 17, 2009.' and inserting `June 12, 2009.'.

(3) Section 337(e)(1) of the Communications Act of 1934 (47 U.S.C. 337(e)(1)) is amended by striking `February 17, 2009,' and inserting `June 12, 2009,'.

(d) License Terms-

(1) Extension- The Federal Communications Commission shall extend the terms of the licenses for the recovered spectrum, including the license period and construction requirements associated with those licenses, for a 116-day period.

(2) Definition- In this subsection, the term `recovered spectrum' means--

(A) the recovered analog spectrum, as such term is defined in section 309(j)(15)(C)(vi) of the Communications Act of 1934; and

(B) the spectrum excluded from the definition of recovered analog spectrum by subclauses (I) and (II) of such section.

SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CONVERTER BOX PROGRAM.

(a) Treatment of Expired Coupons- Section 3005(c)(1) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by adding at the end the following:

(D) Expired coupons- The Assistant Secretary may issue to a household, upon request by the household, one replacement coupon for each coupon that was issued to such household and that expired without being redeemed.'

(b) Conforming amendment- Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking 'receives, via the United States Postal Service,' and inserting 'redeems'.

SEC. 4. IMPLEMENTATION.

(a) Permissive Early Termination Under Existing Requirements- Nothing in this Act is intended to prevent a licensee of a television broadcast station from terminating the broadcasting of such station's analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission's requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 07-228, MB Docket No. 07-91, released December 31, 2007).

(b) Public Safety Radio Services-

(1) Use on cleared spectrum- Notwithstanding the amendments made by section 2, if--

(A) a television broadcast station ceases the broadcasting of such station's analog television service under subsection (a) of this section prior to June 12, 2009, and

(B) as a consequence of such cessation, spectrum between frequencies 768 and 776 megahertz, inclusive, and 798 and 806 megahertz, inclusive, becomes available for non-television broadcast use prior to June 12, 2009, the Federal Communications Commission shall permit the use of such spectrum for authorized public safety radio services if the Commission determines that such use is in the public interest and does not cause harmful interference to full-power television stations in the analog or digital television service.

(2) Expedited procedures- The Federal Communications Commission may use expedited procedures, and may waive such rules as may be necessary, to make a determination on an application made under paragraph (1) to begin such use of such spectrum by a public safety agency (as such term is defined in section 3006(d)(1) of the Digital Television Transition and Public Safety

Act of 2005) in not less than 2 weeks after the date of submission of such application.

(c) Expedited Rulemaking- Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications Information Administration shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.

SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking `2011.' and inserting `2012.'.

SEC. 6. EMERGENCY DESIGNATION.

Each amount made available under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) as a result of the amendments made by this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress) and section 301(b)(2) of S. Con. Res. 70 (110th Congress), the concurrent resolutions on the budget for fiscal years 2008 and 2009.

Passed the Senate January 26, 2009.

Attest:

Secretary.

111th CONGRESS
1st Session
S. 328
AN ACT

To postpone the DTV transition date.

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Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill
Importance: High

Here's the latest: Things are running a bit behind schedule on the House floor, so looks like they won't reach the 40 minutes of debate until later this evening. Attached please find the House version of S. 328. There are a couple differences, which will require the Senate to vote again (and they are not necessarily happy about that).

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3/6/2009

Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan

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Subject: Senate Passage of DTV Delay Bill

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<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 4:03 PM
To: Rafael Fernandez
Subject: FW: House Action on DTV Delay Bill

Importance: High

Attachments: House Floor Debate on DTV Delay Act (Congressional Record, 1.28.09).doc

From: Rosemary Harold
Sent: Wednesday, January 28, 2009 9:36 AM
To: RMCSTAFF
Subject: FW: House Action on DTV Delay Bill
Importance: High

FYI -- I'm about to review the 36-page transcript now. Note that there is now some uncertainty about passage.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 9:25 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
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Subject: RE: House Action on DTV Delay Bill

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House Floor Debate
on DTV Dela...

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Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 4:03 PM
To: Rafael Fernandez
Subject: FW: House Action on DTV Delay Bill

Importance: High

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, January 28, 2009 12:55 PM
To: RMCDSTAFF
Subject: Fw: House Action on DTV Delay Bill
Importance: High

----- Original Message -----

From: Lori Maarbjerg
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
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Sent: Wed Jan 28 12:54:12 2009
Subject: RE: House Action on DTV Delay Bill

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To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
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Subject: RE: House Action on DTV Delay Bill

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At this point, things are pretty fluid. The House is in the middle of debate on the rule for the Economic Stimulus Package. After that debate, they expect to take up a series of

votes, and it's my understanding that the DTV Delay bill is included in that first round. Thus, this could happen within the next hour or so. It's also possible that the vote will be put off until later in the day. If that is the case, the last votes are expected by 6 PM.

Again, I am trying to gather additional information on what the expected outcome will be. As of last night, there didn't seem to be much confidence that they had the required votes for passage (i.e. at least 290), but we will see. Further, assuming that it does pass, it has to go back to the Senate for another vote. If it fails in the House, the Majority has the option of (1) taking it up under regular order (i.e. going to the Rules Committee to get a rule for floor debate - which could include the possibility of amendments, but only requires a simple majority - 218 - for passage), or (2) they don't do anything at all.

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Rafael Fernandez

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Sent: Friday, March 06, 2009 4:03 PM
To: Rafael Fernandez
Subject: FW: House Action on DTV Delay Bill

Importance: High

Follow Up Flag: Follow up
Flag Status: Green

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, January 28, 2009 12:55 PM
To: RMCDDSTAFF
Subject: Fw: House Action on DTV Delay Bill
Importance: High

----- Original Message -----

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Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 4:06 PM
To: Rafael Fernandez
Subject: FW: Latest re DTV Delay Bill

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, January 28, 2009 7:04 PM
To: RMCDSTAFF
Subject: Latest re DTV Delay Bill

Latest re Senate plan to pass House bill tonight, opening door for House action next week. (Plus, further below, Lori's recap of today's action in the House.)

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:02 PM
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 16:56:45 2009
Subject: Recap: DTV Delay Bill

Here's a brief recap of today's events in a condensed format. Please forward to anyone else who may need it.

- * After 40 minutes of debate on Tuesday evening, a roll call vote on the House version of S. 328 was postponed until today.
- * The bill was brought to the floor under suspension of the rules which requires 2/3s of the House to approve the measure for it to pass (i.e. 285 votes)
- * The final vote was 258-168, and the measure was not agreed to.
- * The Majority can bring the measure back up under regular order by going to the Rules Committee to establish a rule for consideration, which could include floor amendments, but only requires a simple majority to pass (i.e. 218).
- * While Chairman Waxman has not released an official statement on the next steps, at this point, I'm hearing that because they were able to garner over 250 votes in the affirmative, there is a possibility that they will take up the measure next week prior to the House Democratic Retreat on Thursday and Friday.
- * If the House is successful in passing S. 328 next week, it still has to go back to the Senate because the language is different.
- * On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear

the backlog of coupon requests in the NTIA program.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 4:07 PM
To: Rafael Fernandez
Subject: FW: A new DTV spoof on the potential delay

From: Brigid Calamis
Sent: Thursday, January 29, 2009 9:44 AM
To: RMCDSTAFF
Subject: A new DTV spoof on the potential delay

<http://www.hulu.com/watch/54019/talkshow-with-spike-feresten-tv-psa-update>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 4:09 PM
To: Rafael Fernandez
Subject: FW: Latest from OLA re DTV Delay Bill

-----Original Message-----

From: Rosemary Harold
Sent: Thursday, January 29, 2009 11:22 AM
To: RMCSTAFF
Subject: Latest from OLA re DTV Delay Bill

-----Original Message-----

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 11:20 AM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

As an Update: The Senate did not take up the revised House DTV Bill last night. Unclear if/when they will do so. I'll let you know if anything changes. On the House side, no specifics beyond Chairman Waxman saying that he is working with the Majority Leadership to discuss all the options.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:22 PM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

House Democratic staff indicated to me that there will not be a report, but offered to possibly send us a letter to help with any implementation issues.

----- Original Message -----

From: Rudy Brioche
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 19:14:45 2009
Subject: RE: Recap: DTV Delay Bill

...so no conference would be necessary and the bill could go straight to the President.

Lori, do you know whether there will be any committee report language on the many

implementation issues Eloise and others raised during our meeting Monday am?

To be sure, I'm not asking for guidance on the Commission's behalf. I just want to know whether they intend to provide it, formally.

*** Non-Public: For Internal Use Only *** -----Original Message-----

From: Lori Maarbjerg

Sent: Wednesday, January 28, 2009 7:02 PM

To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman

Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley

Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg

To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt

Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley

Sent: Wed Jan 28 16:56:45 2009

Subject: Recap: DTV Delay Bill

Here's a brief recap of today's events in a condensed format. Please forward to anyone else who may need it.

- * After 40 minutes of debate on Tuesday evening, a roll call vote on the House version of S. 328 was postponed until today.
- * The bill was brought to the floor under suspension of the rules which requires 2/3s of the House to approve the measure for it to pass (i.e. 285 votes)
- * The final vote was 258-168, and the measure was not agreed to.
- * The Majority can bring the measure back up under regular order by going to the Rules Committee to establish a rule for consideration, which could include floor amendments, but only requires a simple majority to pass (i.e. 218).
- * While Chairman Waxman has not released an official statement on the next steps, at this point, I'm hearing that because they were able to garner over 250 votes in the affirmative, there is a possibility that they will take up the measure next week prior to the House Democratic Retreat on Thursday and Friday.
- * If the House is successful in passing S. 328 next week, it still has to go back to the Senate because the language is different.
- * On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear the backlog of coupon requests in the NTIA program.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 2:54 PM
To: Rafael Fernandez
Subject: FW: B&C: House Committee Reconsiders Moving DTV Hard Date

From: Rosemary Harold
Sent: Thursday, January 22, 2009 8:31 PM
To: RMCDSTAFF
Subject: B&C: House Committee Reconsiders Moving DTV Hard Date

An earlier B&C story -- which together with the one I just forwarded, seems to cover all the possibilities.

House Committee Reconsiders Moving DTV Hard Date

House Energy & Commerce Committee examining options that wouldn't require a delay.

By John Eggerton -- Broadcasting & Cable, 1/22/2009 12:34:31 PM MT

The House Energy & Commerce Committee is considering not moving the DTV hard date.

That is according to Rep. Joe Barton (R-TX), ranking member of the House Energy & Commerce Committee, who has opposed moving the date from Feb. 17.

"Chairman [Henry] Waxman talked to me and said maybe we can still do something that wouldn't require a delay," Barton told C-SPAN in an interview for their Communicators series.

Barton said that staffers are currently working on the House side "to see if we couldn't yet come together with something so you don't have to do a delay."

Barton has proposed fixing accounting rules and allowing NTIA to send out DTV-to-analog converter box coupons currently on a government waiting list.

He pointed out that he and former Telecommunications & Internet Subcommittee chairman Ed Markey had been working on a bill to fix the mailout accounting problem before it got superseded by the Obama administration's call for the delay and the introduction of the current House bill, introduced by Waxman, to move the date to June 12.

Barton said changing those rules would preclude the need for the \$650 million the Obama administration has put in an economic stimulus bill to help fund more converters. He called that figure a "pot of money looking for a problem." He said that "we appropriated sufficient money all these converter box redemptions that are yet to be done. We don't need additional money."

3/6/2009

Barton said that off the record, nobody in industry wants the delay, but that on the record "nobody wants to be the skunk at the garden party here in the new Obama era."

Barton said that there has been no "uproar" in congressional offices from viewers in markets that made the transition early.

Barton said he, himself, has not asked for a coupon yet. "But I am also not going to blame the government," he said. as far as he was concerned, people should be able to get the converter box, get a receipt, and send that to the treasury if that is a way to fix the waiting list.

But won't there be a political problem, he was asked, if some people wake up on Feb. 18 and can't get TV. He said that since almost everybody knows the transition is coming, "you only have yourself to blame."

"There are going to be some senior citizens and some disabled Americans that perhaps don't realize it," he said, "but you are to have that no matter what.... If you are 99% ready to go you don't delay because of the 1% who either is not focused on it or are perhaps so incapacitated that regardless of when you do it they won't be able to comply.

Barton said in hindsight that Congress should have better thought through the converter-box program, and maybe had a contingency fund.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:46 PM
To: Rafael Fernandez
Subject: FW: Update: DTV Delay Bill: House Action

Importance: High

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, February 04, 2009 4:13 PM
To: RMCDSTAFF
Subject: FW: Update: DTV Delay Bill: House Action
Importance: High

Passed!

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 4:13 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action
Importance: High

At the conclusion of debate on the House floor, the House voted down a Motion to Commit the bill to the Energy and Commerce Committee, and then voted on final passage of the DTV Delay bill.

The final vote tally was 264 Yeas to 158 Nays.

Having secured a majority of House members, the bill will now be sent to the President for his signature, as the bill is identical to the Senate version that passed on 1/29/2009. Upon enactment, the DTV transition deadline is June 12, 2009.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:14 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

The House is starting debate on the rule for the DTV Delay bill. There could be up to one hour of debate on the rule, followed by a vote on the rule to move to general debate. Once the rule is approved, they will move to debate on the bill itself, where there could be up to one hour of debate. After that, they will vote on final passage.

If you would like to watch the debate, you can see it on channel 21 on internal TV system. The House floor debate can also be viewed at: http://www.cspan.org/Watch/C-SPAN_wm.aspx

-----Original Message-----

From: Lori Maarbjerg

Sent: Wednesday, February 04, 2009 11:15 AM

To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender

Cc: Jim Balaguer; Joy Medley; Timothy Strachan

Subject: Update: DTV Delay Bill: House Action

Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

-----Original Message-----

From: Lori Maarbjerg

Sent: Wednesday, February 04, 2009 8:52 AM

To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender

Cc: Jim Balaguer; Joy Medley; Timothy Strachan

Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:47 PM
To: Rafael Fernandez
Subject: FW: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

From: Angela Giancarlo
Sent: Wednesday, February 04, 2009 4:46 PM
To: Rick Chessen; Rudy Brioché
Cc: Rosemary Harold
Subject: FW: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

Fyi ...

From: Brigid Calamis
Sent: Wednesday, February 04, 2009 4:30 PM
To: Brigid Calamis
Subject: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

**STATEMENT OF FCC COMMISSIONER ROBERT M. McDOWELL
IN RESPONSE TO THE UNITED STATES HOUSE OF REPRESENTATIVES PASSAGE OF
LEGISLATION TO DELAY THE DIGITAL TELEVISION TRANSITION DEADLINE TO JUNE 12,
2009**

The following statement can be attributed to Commissioner Robert M. McDowell:

“Today, a majority of the directly elected representatives of the American people, the U.S. Congress, has clearly expressed its desire to postpone the deadline for the cessation of analog full-power television broadcasts to June 12, 2009. I look forward to joining my two colleagues, Acting Chairman Copps and Commissioner Adelstein, in quickly implementing the will of the Congress. I know we will do all that we can to minimize the inevitable disruption and confusion this transition will cause. In the meantime, let’s all stay on message: if you need a converter box, get it today and hook it up today and start enjoying the benefits of digital television today.”

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:47 PM
To: Rafael Fernandez
Subject: FW: Multichannel News: DTV Date Move Rouses Responses

From: Rosemary Harold
Sent: Thursday, February 05, 2009 9:36 AM
To: RMCDSTAFF
Subject: Multichannel News: DTV Date Move Rouses Responses

Story below basically a string of quotes from interested people (including Rob):

DTV Date Move Rouses Responses

Reaction Pours In About June 12 Deadline

By John Eggerton -- Multichannel News, 2/4/2009 4:13:56 PM MT

The House's passage of a bill to move the DTV transition date from Feb.17 to June 12 drew a rush of remarks from industry, regulators and legislators.

"The passage of this bipartisan legislation means that millions of Americans will have the time they need to prepare for the conversion," said White House spokeswoman Amy Brundage. "We will continue to work with Congress to improve the information and assistance available to American consumers in advance of June 12, especially those in the most vulnerable communities."

Noted National Cable & Telecommunications Association vice president of communications Brian Dietz: "We've previously said that we're supportive of Feb. 17 or a new date. NCTA has already spent \$250 million to educate consumers about the transition and will continue to do our part to make sure that is a success."

National Association of Broadcasters President David Rehr said in a statement: "The legislation passed by Congress provides more time for Americans to prepare for the DTV transition and will allow more time for the government to fix the coupon program. We appreciate members of Congress for their leadership and swift action in ensuring viewers get continued access to free, over-the-air television. America's broadcasters, which have spent the past decade preparing for this historic transition, are ready to make a successful switch."

Bill supporter Sen. Herb Kohl (D-WI), chairman of the Senate Special Committee on Aging offered congratulations.

"Less than a month out, we have over two million households still waiting for their coupons and millions more with expired coupons in hand," he said. "I am relieved that both chambers of Congress have passed this vital legislation so that seniors and many other Americans aren't left in the dark."

While seniors are one of the target populations for special help with the transition, Nielsen surveys have shown that the 55-plus demo is actually more ready for the transition than younger demos, a point made by Rep. Marsha

Blackburn (R.-Tenn.) during debate on the bill's passage Wednesday.

John Kerry (D-Mass.) one of the bill's co-sponsors in the Senate said: "We've got to make sure the transition to digital television is done in a way that protects consumers. A short delay will give us time to work through the problems left by the Bush administration and help ensure the transition goes as smoothly as possible without disrupting critical services such as emergency broadcasting announcements. I'm glad my colleagues in Congress and President Obama agreed that a delay was necessary and took action to protect the millions of consumers at risk of losing their television signal."

Acting FCC chairman Michael Copps was also happy with the legislative outcome: "I welcome Congressional passage of the DTV Delay Act," he said in a statement. "It has long been clear to me--and it's even clearer since I became acting FCC Chairman two weeks ago--that the country is not prepared to undertake a nationwide transition in twelve days without unacceptably high consumer dislocation."

Copps said the extra time is welcome and needed: "The additional four months provided by the law affords urgently-needed time for a more phased transition, including a consumer-friendly converter box coupon program, stepped-up consumer outreach and support--particularly for vulnerable populations--and dealing with coverage, antenna and reception issues that went too long unaddressed. "We've got a lot of work to do, but thanks to great leadership in the Senate and House of Representatives, we now have an opportunity to do it better."

FCC Commissioner Robert McDowell's, whose concerns about problems with the FCC's call center were invoked during the debate on the side of delay, wasn't exactly on the welcoming committee exactly, but said he was ready to do what he could considering Congress' desire to move the date.

"Today, a majority of the directly elected representatives of the American people, the U.S. Congress, has clearly expressed its desire to postpone the deadline for the cessation of analog full-power television broadcasts to June 12, 2009," he said. "I look forward to joining my two colleagues, acting Chairman Copps and commissioner Adelstein, in quickly implementing the will of the Congress. I know we will do all that we can to minimize the inevitable disruption and confusion this transition will cause. In the meantime, let's all stay on message: if you need a converter box, get it today and hook it up today and start enjoying the benefits of digital television today."

Wednesday's debate was notable, in one sense, for its absence of some of the most familiar faces on the Democratic side when it came to overseeing the DTV transition, but that didn't stop one of them, Ed Markey (D-Mass.) former chairman of the Telecommunications & Internet Subcommittee, from adding his applause and a reminder that he had been all over this issue.

"I applaud the passage of this necessary legislation," Markey said in an email. "It is unfortunate that Congress had to take additional action on this issue, but the prospect of leaving millions of consumers in the dark was simply unacceptable. This was a foreseeable problem and should have been anticipated and acknowledged by the Bush administration long ago. However, the Bush administration simply left us with insufficient time to make the needed adjustments on a national basis without this short, one-time delay. I commend President Obama for his swift actions on this critical issue."

In the e-mail containing the comment, Markey's office pointed out he had expressed his concern about lack of funding as far back as 2005.

Another veteran of the DTV transition, former House Energy & Commerce Committee Chairman John Dingell, pointed a finger at National Telecommunications and Information Administration, which is administering the converter coupon box program.

"Today's vote to delay the DTV transition was necessary to prevent a looming consumer crisis in which millions of Americans would have been left without television service when analog broadcasts cease," said Dingell Wednesday. "Currently, the National Telecommunications and Information Administration's digital converter box coupon program has a waiting list for nearly three million coupons, which is the result of NTIA's mismanagement of the program during the previous administration. I am pleased that the DTV Delay Act includes provisions to increase funding for this vital program and look forward to working with the Obama administration to see that it is equitably administered and properly overseen."

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:46 PM
To: Rafael Fernandez
Subject: FW: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

From: Brigid Calamis
Sent: Wednesday, February 04, 2009 4:07 PM
To: Rosemary Harold; Nicholas Alexander; Angela Giancarlo
Subject: RE: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

That was easy! Thanks all.

From: Rosemary Harold
Sent: Wednesday, February 04, 2009 3:59 PM
To: Nicholas Alexander; Angela Giancarlo; Brigid Calamis; RMCSTAFF
Subject: RE: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

Same for me.

From: Nicholas Alexander
Sent: Wednesday, February 04, 2009 3:59 PM
To: Angela Giancarlo; Brigid Calamis; RMCSTAFF
Subject: RE: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

Me too.

*** Non-Public: For Internal Use Only ***

From: Angela Giancarlo
Sent: Wednesday, February 04, 2009 3:50 PM
To: Brigid Calamis; RMCSTAFF
Subject: RE: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

I'm good. Thanks.

From: Brigid Calamis
Sent: Wednesday, February 04, 2009 3:40 PM
To: RMCSTAFF
Subject: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

For everyone's final scrub...

**STATEMENT OF FCC COMMISSIONER ROBERT M. McDOWELL
IN RESPONSE TO THE UNITED STATES HOUSE OF REPRESENTATIVES PASSAGE OF
LEGISLATION TO DELAY THE DIGITAL TELEVISION TRANSITION DEADLINE TO JUNE 12,**

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Brigid N. Calamis
Deputy Chief of Staff
Office of Commissioner Robert M. McDowell
Federal Communications Commission
(202) 418-2200
brigid.calamis@fcc.gov

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:46 PM
To: Rafael Fernandez
Subject: FW: Final vote on DTV Delay Act happening right now

From: Rosemary Harold
Sent: Wednesday, February 04, 2009 4:06 PM
To: RMCDSTAFF
Subject: Final vote on DTV Delay Act happening right now

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:46 PM
To: Rafael Fernandez
Subject: FW: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

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I'm good. Thanks.

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To: RMCDSTAFF
Subject: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

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Brigid N. Calamis
Deputy Chief of Staff
Office of Commissioner Robert M. McDowell
Federal Communications Commission
(202) 418-2200
brigid.calamis@fcc.gov

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To: Brigid Calamis; RMCSTAFF
Subject: RE: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

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Sent: Wednesday, February 04, 2009 3:40 PM
To: RMCSTAFF
Subject: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

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IN RESPONSE TO THE UNITED STATES HOUSE OF REPRESENTATIVES PASSAGE OF
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Deputy Chief of Staff
Office of Commissioner Robert M. McDowell
Federal Communications Commission
(202) 418-2200
brigid.calamis@fcc.gov

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:46 PM
To: Rafael Fernandez
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Subject: DRAFT: Statement of Commissioner McDowell in Response to the United States House of Representatives Passage of Legislation to delay the Digital Television Transition Deadline to June 12, 2009

For everyone's final scrub...

**STATEMENT OF FCC COMMISSIONER ROBERT M. McDOWELL
IN RESPONSE TO THE UNITED STATES HOUSE OF REPRESENTATIVES PASSAGE OF
LEGISLATION TO DELAY THE DIGITAL TELEVISION TRANSITION DEADLINE TO JUNE 12,
2009**

The following statement can be attributed to Commissioner Robert M. McDowell:

“Today, a majority of the directly elected representatives of the American people, the U.S. Congress, has clearly expressed its desire to postpone the deadline for the cessation of analog full-power television broadcasts to June 12, 2009. I look forward to joining my two colleagues, Acting Chairman Copps and Commissioner Adelstein, in quickly implementing the will of the Congress. I know we will do all that we can to minimize the inevitable disruption and confusion this transition will cause. In the meantime, let’s all stay on message: if you need a converter box, get it today and hook it up today and start enjoying the benefits of digital television today.”

Brigid N. Calamis
Deputy Chief of Staff
Office of Commissioner Robert M. McDowell
Federal Communications Commission
(202) 418-2200
brigid.calamis@fcc.gov

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:45 PM
To: Rafael Fernandez
Subject: FW: Update on vote

From: Brigid Calamis
Sent: Wednesday, February 04, 2009 1:47 PM
To: RMCDSTAFF
Subject: Update on vote

Report from a hill staffer:

We are in the midst of up to **one hour** of debate on the **Rule** to provide consideration of **S. 352** – The DTV Delay Act, which we expect the House to pass by voice vote. The House is then expected to begin up to **one hour** of general debate on **S. 352**. We then expect our last series of votes at approximately **4:00 p.m.**

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:45 PM
To: Rafael Fernandez
Subject: FW: Update: DTV Delay Bill: House Action

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, February 04, 2009 1:24 PM
To: RMCDSTAFF
Subject: FW: Update: DTV Delay Bill: House Action

The bell has rung -- at least for debate on the rule -- and the fighters are coming out of their corners.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:14 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

The House is starting debate on the rule for the DTV Delay bill. There could be up to one hour of debate on the rule, followed by a vote on the rule to move to general debate. Once the rule is approved, they will move to debate on the bill itself, where there could be up to one hour of debate. After that, they will vote on final passage.

If you would like to watch the debate, you can see it on channel 21 on internal TV system. The House floor debate can also be viewed at: http://www.cspan.org/Watch/C-SPAN_wm.aspx

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action
Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira

Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 2:52 PM
To: Rafael Fernandez
Subject: FW: Energy and Commerce Postpones Digital TV Markup

Follow Up Flag: Follow up
Flag Status: Green

-----Original Message-----

From: Rmcd
Sent: Wednesday, January 21, 2009 3:32 PM
To: Brigid Calamis; RmcdSTAFF
Subject: Re: Energy and Commerce Postpones Digital TV Markup

Hmmmmmm...

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Brigid Calamis
To: RmcdSTAFF
Sent: Wed Jan 21 15:25:59 2009
Subject: Energy and Commerce Postpones Digital TV Markup

Energy and Commerce Postpones Digital TV Markup
By: Josh Loewenstein
CongressNow Staff
Jan 21, 2009 2:25 PM

House Energy and Commerce Chairman Henry Waxman (D-Calif.) this afternoon postponed a markup of legislation that would push back the transition to digital television from Feb. 17 until June 12.

In a statement, Waxman blamed the delay on Senate Republicans, who last week blocked an attempt by Senate Commerce, Science and Transportation Chairman Jay Rockefeller (D-W.Va.) to fast-track similar Senate legislation to the floor.

"Late last week, Senate Republicans blocked a bill to delay the transition date," Waxman said. "I have postponed committee consideration of the DTV markup to give the committee more time to assess the implications of the Senate action."

Key Democrats, as well as President Barack Obama, began calling for a delay of the Feb. 17 switch earlier this month after the National Telecommunications and Information Administration announced it had used all its funding for a coupon program that helps subsidize the costs of analog-to-digital converter boxes.

Acting NTIA Administrator Meredith Baker said on Jan. 4 that the agency's \$1.34 billion in appropriations for the coupon program were exhausted after 7.2 million coupons — a number much higher than expected — were requested in December. Such large requests for coupons have contributed to a backlog in fulfilling coupon requests that has forced the NTIA to put at least 2 million applicants on a waiting list.

Because of this, Waxman reiterated in his statement today, a delay of the switchover is the only responsible action.

"Delay of the deadline is our only hope of lessening the impact on millions of consumers," Waxman said. "Without a short, one-time extension, millions of households will lose all television reception."

Republican opposition to the bill has also been prevalent in the House.

House Energy and Commerce ranking member Joe Barton (R-Texas), along with 14 other Republican committee members, authored a letter to Obama last Wednesday speaking out against the delay.

The group cited numerous reasons, including the fear that industry groups will withdraw from "what had been vigorous consumer education efforts."

"We believe that the panicky talk of a delay is breeding stultifying uncertainty, and that an actual delay would be a monumental error in judgment that would damage the program and the public," the committee members wrote.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:44 PM
To: Rafael Fernandez
Subject: FW: DTV Delay Bill: House Action - Rules Cmte

Attachments: Rule for Consideration of S. 352.pdf



Rule for
consideration of S. 3.

-----Original Message-----

From: Rosemary Harold
Sent: Wednesday, February 04, 2009 10:38 AM
To: RMCDSTAFF
Subject: FW: DTV Delay Bill: House Action - Rules Cmte

FYI

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
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Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:43 PM
To: Rafael Fernandez
Subject: FW: House Action - Rules Cmte

-----Original Message-----

From: Rmcd
Sent: Tuesday, February 03, 2009 8:31 PM
To: Rosemary Harold; RMCDSTAFF
Subject: Re: House Action - Rules Cmte

Ha! I predicted this!

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Rosemary Harold
To: RMCDSTAFF
Sent: Tue Feb 03 19:43:27 2009
Subject: FW: House Action - Rules Cmte

-----Original Message-----

From: Lori Maarbjerg
Sent: Tuesday, February 03, 2009 7:43 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; William Freedman; David Furth
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action - Rules Cmte

First - please forward to any that may need this e-mail, but may not be included.

It is my understanding that the House Rules Committee has issued a closed rule that does not allow for any amendments.

Still tracking down more details regarding how much floor debate will be allowed and exactly when it will come to the floor. More updates to follow tomorrow.

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To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Sent: Wed Jan 28 13:15:18 2009
Subject: RE: House Action on DTV Delay Bill

Sorry I realize that I was not clear in my e-mail. The DTV Delay Bill failed to gain a 2/3 majority vote. They needed more than 285 votes, they received 258. The DTV transition date is still 2.17.2009. Reuters has a report that says differently, but that

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Subject: RE: House Action on DTV Delay Bill

Debate finished on the rule. They are voting on the Economic Stimulus package rule right now. House Cloakroom confirmed the DTV bill vote will occur right after. C-SPAN is channel 21 on the internal system.

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Sent: Wednesday, January 28, 2009 12:17 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
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Subject: RE: House Action on DTV Delay Bill
Importance: High

At this point, things are pretty fluid. The House is in the middle of debate on the rule for the Economic Stimulus Package. After that debate, they expect to take up a series of votes, and it's my understanding that the DTV Delay bill is included in that first round. Thus, this could happen within the next hour or so. It's also possible that the vote will be put off until later in the day. If that is the case, the last votes are expected by 6 PM.

Again, I am trying to gather additional information on what the expected outcome will be. As of last night, there didn't seem to be much confidence that they had the required votes for passage (i.e. at least 290), but we will see. Further, assuming that it does pass, it has to go back to the Senate for another vote. If it fails in the House, the Majority has the option of (1) taking it up under regular order (i.e. going to the Rules Committee to get a rule for floor debate - which could include the possibility of amendments, but only requires a simple majority - 218 - for passage), or (2) they don't do anything at all.

I'll update as necessary. Please let me know if you have questions, and please forward to those that may also need this information. Thanks!

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 9:25 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira

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Subject: RE: House Action on DTV Delay Bill

Here's the transcript of the debate from last night. I'm gathering information on when a vote is likely to occur and will pass that along when available. At this point, it is unclear that the Majority has the votes to pass it.

<< File: House Floor Debate on DTV Delay Act (Congressional Record, 1.28.09).doc >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 5:30 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
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Here's the latest: Things are running a bit behind schedule on the House floor, so looks like they won't reach the 40 minutes of debate until later this evening. Attached please find the House version of S. 328. There are a couple differences, which will require the Senate to vote again (and they are not necessarily happy about that).

The changes are located at: (1) page 3; line 23 - this language had to be added to solve a 'pay go' problem (and a Point of Order on the floor), and (2) page 4; line 22 where there is different language for public safety.

<< File: S328_SUS_xml.pdf >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action on DTV Delay Bill

The House will have debate on the DTV delay bill tonight. However, the vote will occur tomorrow. The House will take up the Economic Stimulus package at some point after 3:30 PM, and have up to 3.5 hours of debate. Debate on the DTV bill will occur after debate on the Economic Stimulus package has ended. Please let me know if you have any questions.

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by

the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:43 PM
To: Rafael Fernandez
Subject: FW: House Action - Rules Cmte

-----Original Message-----

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Sent: Tuesday, February 03, 2009 7:43 PM
To: RMCSTAFF
Subject: FW: House Action - Rules Cmte

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From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action on DTV Delay Bill

The House will have debate on the DTV delay bill tonight. However, the vote will occur tomorrow. The House will take up the Economic Stimulus package at some point after 3:30 PM, and have up to 3.5 hours of debate. Debate on the DTV bill will occur after debate on the Economic Stimulus package has ended. Please let me know if you have any questions.

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:42 PM
To: Rafael Fernandez
Subject: FW: House Rules Committee meeting
Follow Up Flag: Follow up
Due By: Wednesday, March 11, 2009 8:49 AM
Flag Status: Red

From: Jonathan Havens
Sent: Tuesday, February 03, 2009 11:28 AM
To: Rosemary Harold
Subject: RE: House Rules Committee meeting

I've heard, and as you noted last night, it will most likely be a closed rule so they don't have to conference the bill with the Senate. Rules Committee expects that the items on the meeting agenda will stay the same but they always keep their cards close to the vest so I'll continue checking throughout the day.

From: Rosemary Harold
Sent: Tuesday, February 03, 2009 11:23 AM
To: Jonathan Havens
Subject: RE: House Rules Committee meeting

Thanks very much!

From: Jonathan Havens
Sent: Tuesday, February 03, 2009 10:39 AM
To: Rosemary Harold
Subject: House Rules Committee meeting

Rosemary,
I just checked the House Rules Committee website and it looks like the DTV delay bill is one of only two items on the agenda for the 5:00 meeting. I will do some poking around to see if I can find out any intel on timing of the Committee vote and expectations for the meeting.

Jonathan

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:42 PM
To: Rafael Fernandez
Subject: FW: House Rules Committee meeting
Follow Up Flag: Follow up
Due By: Wednesday, March 11, 2009 8:49 AM
Flag Status: Red

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Jonathan

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:34 PM
To: Rafael Fernandez
Subject: FW: FYI: Just heard that the DTV Delay Act passed the Senate again

From: Eloise Gore
Sent: Thursday, January 29, 2009 7:50 PM
To: Rosemary Harold; Barbara Kreisman
Subject: RE: FYI: Just heard that the DTV Delay Act passed the Senate again

yes, thanks. More whiplash.

From: Rosemary Harold
Sent: Thursday, January 29, 2009 7:18 PM
To: Eloise Gore; Barbara Kreisman
Subject: FYI: Just heard that the DTV Delay Act passed the Senate again

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 6:32 PM
To: Rafael Fernandez
Subject: FW: Latest (Thurs 2:36 p.m.) re DTV Delay Bill

-----Original Message-----

From: Rosemary Harold
Sent: Thursday, January 29, 2009 2:37 PM
To: RMCSTAFF
Subject: Latest (Thurs 2:36 p.m.) re DTV Delay Bill

FYI

-----Original Message-----

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 2:36 PM
To: Lori Maarbjerg; Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

Update: Looks like House may take the bill to the Rules Committee on Tuesday, Feb. 3rd, with the intent of bring it back to the floor on Wednesday, Feb. 4th. Assuming it passes, it would then go back to the Senate. At this point, I am not hearing that the Senate now has plans to try to take up the amended measure prior to the House acting next week. This is primarily due to renewed opposition from some Republican Senators. A hold was placed on the bill in the Senate last night, which is why they did not bring up the amended version.

-----Original Message-----

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 11:20 AM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

As an Update: The Senate did not take up the revised House DTV Bill last night. Unclear if/when they will do so. I'll let you know if anything changes. On the House side, no specifics beyond Chairman Waxman saying that he is working with the Majority Leadership to discuss all the options.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:22 PM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth

Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

House Democratic staff indicated to me that there will not be a report, but offered to possibly send us a letter to help with any implementation issues.

----- Original Message -----

From: Rudy Brioche
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 19:14:45 2009
Subject: RE: Recap: DTV Delay Bill

...so no conference would be necessary and the bill could go straight to the President.

Lori, do you know whether there will be any committee report language on the many implementation issues Eloise and others raised during our meeting Monday am?

To be sure, I'm not asking for guidance on the Commission's behalf. I just want to know whether they intend to provide it, formally.

*** Non-Public: For Internal Use Only *** -----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:02 PM
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 16:56:45 2009
Subject: Recap: DTV Delay Bill

Here's a brief recap of today's events in a condensed format. Please forward to anyone else who may need it.

- * After 40 minutes of debate on Tuesday evening, a roll call vote on the House version of S. 328 was postponed until today.
- * The bill was brought to the floor under suspension of the rules which requires 2/3s of the House to approve the measure for it to pass (i.e. 285 votes)
- * The final vote was 258-168, and the measure was not agreed to.
- * The Majority can bring the measure back up under regular order by going to the Rules Committee to establish a rule for consideration, which could include floor amendments, but only requires a simple majority to pass (i.e. 218).

* While Chairman Waxman has not released an official statement on the next steps, at this point, I'm hearing that because they were able to garner over 250 votes in the affirmative, there is a possibility that they will take up the measure next week prior to the House Democratic Retreat on Thursday and Friday.

* If the House is successful in passing S. 328 next week, it still has to go back to the Senate because the language is different.

* On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear the backlog of coupon requests in the NTIA program.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:31 PM
To: Rafael Fernandez
Subject: FW: Obama statement on signing DTV Delay Act

From: Rosemary Harold
Sent: Wednesday, February 11, 2009 5:05 PM
To: Rick Chessen; Lori Maarbjerg; Gary Epstein; Rudy Brioche
Cc: Eloise Gore; Julius Knapp; Barbara Kreisman; Joseph Hall; Cathy Seidel; Louis Sigalos; Patrick Webre; David Furth; Joel Kaufman; William Scher; Andrew Martin; Robert Ratcliffe; Christopher Lewis; Jeff Cohen; Roy Stewart; Robert Ratcliffe; Matthew Berry; Joel Kaufman; Marilyn Sonn
Subject: Obama statement on signing DTV Delay Act

FYI: Statement of President Barack Obama on Signing the DTV Bill

WASHINGTON – Today, President Barack Obama signed S.352, a bill to postpone the DTV transition date to June 12th to allow for more time for the American consumers to prepare for the switch from analog television.

“During these challenging economic times, the needs of American consumers are a top priority of my administration. This law, which was crafted in a bipartisan way and passed overwhelmingly in the House and Senate, ensures that our citizens will have more time to prepare for the conversion. Millions of Americans, including those in our most vulnerable communities, would have been left in the dark if the conversion had gone on as planned, and this solution is an important step forward as we work to get the nation ready for digital TV. My administration will continue to work with leaders in Congress, broadcasters, consumer groups and the telecommunications industry to improve the information and assistance available to our citizens in advance of June 12.”

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:28 PM
To: Rafael Fernandez
Subject: FW: Multichannel News: White House Won't Sign DTV Delay Bill Until At Least Monday

From: Rosemary Harold
Sent: Friday, February 06, 2009 5:08 PM
To: RMCDSTAFF
Subject: Multichannel News: White House Won't Sign DTV Delay Bill Until At Least Monday

White House Won't Sign DTV Delay Bill Until At Least Monday

Obama Administration Giving Public Five Days For Comment

John Eggerton -- Multichannel News, 2/6/2009 1:12:00 PM MT

It looks as if the White House won't be signing the digital TV transition date change bill into law until at least Monday, the same day broadcasters must let the FCC know if they want to pull the plug on analog Feb. 17. That's now the early time frame, for the transition the government has been telling them was the drop-dead date for years.

President Barack Obama, as part of his pledge of openness and transparency, said he would give the public five days to comment on bills before he signed them.

The text of the DTV delay bill has been posted on the [White House Web site](#) along with a comment form. Broadcasters may make the transition on Feb. 17, but bill co-author [Sen. Jay Rockefeller \(D-W. Va\)](#), chairman of the Senate Commerce Committee, has asked broadcasters to "put consumers first." The FCC is doing more than ask. Broadcasters must request to make the move by Feb. 9, but the FCC can deny the request if it doesn't think it is in the public interest, say, if all the stations in a market with high analog-only penetration want to go on Feb. 17.

The big problem is that the converter box coupon program slowdown, which prompted the Obama administration's request to move the date, may not be [unstuck until March or April](#), so, the more stations that go Feb. 17, the more the bill's effect is weakened.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:28 PM
To: Rafael Fernandez
Subject: FW: Enactment of S. 352

-----Original Message-----

From: Rosemary Harold
Sent: Friday, February 06, 2009 4:14 PM
To: RMCDSTAFF
Subject: FW: Enactment of S. 352

FYI -- maybe no WH signing until Monday.

-----Original Message-----

From: Lori Maarbjerg
Sent: Friday, February 06, 2009 4:13 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender; Joel Kaufman; William Scher
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Enactment of S. 352

For those that may be wondering. The bill has not been enacted into law yet. The WH indicates they have yet to receive the bill from the Hill. Anecdotally, I heard that it might not be signed until Monday. I'll see what else I can find out.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:07 PM
To: Rafael Fernandez
Subject: FW: Senate Passes Economic Stimulus Bill with Telecom Provisions
Importance: High
Attachments: HR 1 As Approved by the House (Broadband Related Provisions).pdf; Nelson Collins Amendment to HR 1 (Broadband Related Provisions).pdf

From: Jim Balaguer
Sent: Tuesday, February 10, 2009 1:14 PM
To: Rick Chessen; Scott Deutchman; Paul Murray; Scott Bergmann; Rudy Brioche; Renee Crittendon; Angela Giancarlo; Nicholas Alexander; Rosemary Harold; Julie Veach; Jim Schlichting; Cathy Seidel; Julius Knapp; Robert Ratcliffe; John Giusti
Cc: Michael Perko; Lori Maarbjerg; Timothy Strachan; Joy Medley
Subject: Senate Passes Economic Stimulus Bill with Telecom Provisions
Importance: High

FYI - As anticipated, by a vote of 61-37, the Senate has given final approval to an amended version of an \$838.2 billion economic stimulus bill, H.R. 1, the American Recovery and Reinvestment Act of 2009. The House passed its version of the bill, totaling \$819.5 billion, on January 29th. The two bills will need to be reconciled in a House-Senate conference. The Senate has appointed Senators Inouye (D-HI), Baucus (D-MT), Reid (D-NV), Cochran (R-MS) and Grassley (R-IA) to serve as conferees. The House is expected to name conferees later today. Although Democratic leaders have stated their goal is to complete action by Friday when Congress is scheduled to leave for the President's Day recess, the complex nature of the legislation is likely to require additional time to complete negotiations.

Below are brief summaries of the provisions which impact the Commission. In addition, attached are the communications-related excerpts from the respective Senate and House bills. The attached documents also contain bookmarks for these sections. (Click on the "bookmarks" tab on left side of the pdf).

Digital Television Transition

DTV Converter Box Program - The Senate bill includes \$650 million for the DTV converter box program, of which \$90 million may be used for education and outreach activities. Although none of the DTV funds are specifically allocated for FCC, the bill includes a provision which permits NTIA to transfer funds designated for education and outreach to the Commission. While the House bill also includes \$650 million, it is silent as to any additional FCC funding. The Senate bill also includes a provision permitting NTIA to reissue any expired or lost converter box coupon.

Broadband Deployment Programs

Rural Utilities Program – The final Senate bill contains \$100 million direct loans and grants for distance learning and telemedicine services in rural areas. The original language provided for \$200 million. The House bill provides RUS with \$2.825 billion in grants, loans and loan guarantees for open access broadband infrastructure, as the House version divides approximately \$6 billion in broadband deployment funding between NTIA and RUS.

NTIA Broadband Technology Opportunities Program – The Senate bill designates the vast majority (\$7 billion of the \$7.1 billion) in broadband deployment funding to NTIA. The bill includes \$200 million for public computing

centers, \$250 million for competitive grants to encourage broadband adoption, \$10 million for IG audits, \$350 million for broadband mapping and \$6.19 billion for a broadband infrastructure program to provide service to unserved and underserved areas. The grant program would require companies to partner with a state, municipality, or a nonprofit entity. NTIA is to coordinate with the FCC on the program, including publishing “non-discriminations and network interconnection obligations” as a condition of grant funding. The bill stipulates that half of the funding (\$3.325 billion) is to go to rural areas. NTIA has the discretion to transfer a portion of the rural funding to RUS.

The House version allocates \$2.825 billion for an NTIA wireless and wireline broadband deployment grant program, with \$1 billion for wireless voice and wireless broadband service. The bill calls for a goal of 25% of the grants to be distributed to unserved areas and 75% to underserved areas. A total of \$1.825 billion is designated for deployment of terrestrial broadband, with a similar goal of 25% for basic broadband in unserved areas and 75% of the grants to go to advanced broadband in underserved areas.

Broadband Tax Credits – Senator Rockefeller (D-WV) sponsored a provision that provides a 10% tax credit for “current broadband technology” (5 Mbps/1Mbps and 3 Mbps/768 kbps for wireless) in underserved areas and 20% in unserved areas. A 20% credit would be available for “next generation broadband” (100 Mbps/20 Mbps) in either area. Senator Rockefeller had filed an amendment to bring the tax credit up to 30% for current generation and 40% for next generation in rural and unserved areas, but the Senate did not add that language to the bill.

The Senate bill defines “unserved area” as a census tract area where no current generation broadband services are provided. “Underserved area” is defined as an empowerment or enterprise zone, renewal community, or low income community, as designated by statute. In contrast, the House bill requires the FCC to define “unserved” and “underserved” areas, as well as the terms “open access”, and “wireless open access” within 45 days of enactment

National Broadband Plan - Like the House bill, the Senate version directs the Commission to develop a national broadband plan within 1 year of enactment that will consider the most effective and efficient mechanisms for ensuring broadband access across the country. The bill contains language which permits NTIA to transfer a portion of the \$350 million in broadband mapping funds to the Commission to fund the development of the national broadband plan.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:06 PM
To: Rafael Fernandez
Subject: FW: Signing

From: Gary Epstein
Sent: Friday, February 06, 2009 5:04 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche
Subject: Signing

White House Won't Sign DTV Delay Bill Until At Least Monday

Obama Administration Giving Public Five Days For Comment

John Eggerton -- Multichannel News, 2/6/2009 1:12:00 PM MT

It looks as if the White House won't be signing the digital TV transition date change bill into law until at least Monday, the same day broadcasters must let the FCC know if they want to pull the plug on analog Feb. 17. That's now the early time frame, for the transition the government has been telling them was the drop-dead date for years.

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Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:05 PM
To: Rafael Fernandez
Subject: FW: Enactment of S. 352

-----Original Message-----

From: Lori Maarbjerg
Sent: Friday, February 06, 2009 4:13 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender; Joel Kaufman; William Scher
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Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:02 PM
To: Rafael Fernandez
Subject: FW: Recap: DTV Delay Bill

-----Original Message-----

From: Patrick Webre
Sent: Thursday, January 29, 2009 12:47 PM
To: Lori Maarbjerg; Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

Adding Roger.

-----Original Message-----

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 11:20 AM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

As an Update: The Senate did not take up the revised House DTV Bill last night. Unclear if/when they will do so. I'll let you know if anything changes. On the House side, no specifics beyond Chairman Waxman saying that he is working with the Majority Leadership to discuss all the options.

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Sent: Wednesday, January 28, 2009 7:22 PM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

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From: Rudy Brioche
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley

Sent: Wed Jan 28 19:14:45 2009
Subject: RE: Recap: DTV Delay Bill

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Sent: Wednesday, January 28, 2009 7:02 PM
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 16:56:45 2009
Subject: Recap: DTV Delay Bill

Here's a brief recap of today's events in a condensed format. Please forward to anyone else who may need it.

- * After 40 minutes of debate on Tuesday evening, a roll call vote on the House version of S. 328 was postponed until today.
- * The bill was brought to the floor under suspension of the rules which requires 2/3s of the House to approve the measure for it to pass (i.e. 285 votes)
- * The final vote was 258-168, and the measure was not agreed to.
- * The Majority can bring the measure back up under regular order by going to the Rules Committee to establish a rule for consideration, which could include floor amendments, but only requires a simple majority to pass (i.e. 218).
- * While Chairman Waxman has not released an official statement on the next steps, at this point, I'm hearing that because they were able to garner over 250 votes in the affirmative, there is a possibility that they will take up the measure next week prior to the House Democratic Retreat on Thursday and Friday.
- * If the House is successful in passing S. 328 next week, it still has to go back to the Senate because the language is different.
- * On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear the backlog of coupon requests in the NTIA program.

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:04 PM
To: Rafael Fernandez
Subject: FW: House Action - Rules Cmte

-----Original Message-----

From: Lori Maarbjerg
Sent: Tuesday, February 03, 2009 7:43 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; William Freedman; David Furth
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action - Rules Cmte

First - please forward to any that may need this e-mail, but may not be included.

It is my understanding that the House Rules Committee has issued a closed rule that does not allow for any amendments.

Still tracking down more details regarding how much floor debate will be allowed and exactly when it will come to the floor. More updates to follow tomorrow.

----- Original Message -----

From: Lori Maarbjerg
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Sent: Wed Jan 28 13:15:18 2009
Subject: RE: House Action on DTV Delay Bill

Sorry I realize that I was not clear in my e-mail. The DTV Delay Bill failed to gain a 2/3 majority vote. They needed more than 285 votes, they received 258. The DTV transition date is still 2.17.2009. Reuters has a report that says differently, but that is erroneous.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:54 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Vote failed on a final tally of 258 - 168.

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Sent: Wednesday, January 28, 2009 12:24 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan

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Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Debate finished on the rule. They are voting on the Economic Stimulus package rule right now. House Cloakroom confirmed the DTV bill vote will occur right after. C-SPAN is channel 21 on the internal system.

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Subject: RE: House Action on DTV Delay Bill
Importance: High

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I'll update as necessary. Please let me know if you have questions, and please forward to those that may also need this information. Thanks!

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Subject: RE: House Action on DTV Delay Bill

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Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
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<< File: S328_SUS_xml.pdf >>

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Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
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As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 8:04 PM
To: Rafael Fernandez
Subject: FW: Update: DTV Delay Bill: House Action

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:14 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
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The House is starting debate on the rule for the DTV Delay bill. There could be up to one hour of debate on the rule, followed by a vote on the rule to move to general debate. Once the rule is approved, they will move to debate on the bill itself, where there could be up to one hour of debate. After that, they will vote on final passage.

If you would like to watch the debate, you can see it on channel 21 on internal TV system. The House floor debate can also be viewed at: http://www.cspan.org/Watch/C-SPAN_wm.aspx

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From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action
Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay

Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Rafael Fernandez

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Sent: Friday, March 06, 2009 8:04 PM
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Subject: FW: Update: DTV Delay Bill: House Action

Importance: High

-----Original Message-----

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Sent: Wednesday, February 04, 2009 4:13 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action
Importance: High

At the conclusion of debate on the House floor, the House voted down a Motion to Commit the bill to the Energy and Commerce Committee, and then voted on final passage of the DTV Delay bill.

The final vote tally was 264 Yeas to 158 Nays.

Having secured a majority of House members, the bill will now be sent to the President for his signature, as the bill is identical to the Senate version that passed on 1/29/2009. Upon enactment, the DTV transition deadline is June 12, 2009.

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Importance: High

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To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
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Subject: RE: House Action on DTV Delay Bill
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Filed at 1:11 p.m. ET

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Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

I just had a phone call from someone who told me that he heard on sports radio that the measure had passed (ESPN980)! Let's hope that this incorrect information is not being sent via a news service. It could really cause consumer confusion.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 1:15 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Sorry I realize that I was not clear in my e-mail. The DTV Delay Bill failed to gain a 2/3 majority vote. They needed more than 285 votes, they received 258. The DTV transition date is still 2.17.2009. Reuters has a report that says differently, but that is erroneous.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:54 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Vote failed on a final tally of 258 - 168.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:24 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Debate finished on the rule. They are voting on the Economic Stimulus package rule right now. House Cloakroom confirmed the DTV bill vote will occur right after. C-SPAN is channel 21 on the internal system.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:17 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill
Importance: High

At this point, things are pretty fluid. The House is in the middle of debate on the rule for the Economic Stimulus Package. After that debate, they expect to take up a series of votes, and it's my understanding that the DTV Delay bill is included in that first round. Thus, this could happen within the next hour or so. It's also possible that the vote will be put off until later in the day. If that is the case, the last votes are expected by 6 PM.

Again, I am trying to gather additional information on what the expected outcome will be. As of last night, there didn't seem to be much confidence that they had the required votes for passage (i.e. at least 290), but we will see. Further, assuming that it does pass, it has to go back to the Senate for another vote. If it fails in the House, the Majority has the option of (1) taking it up under regular order (i.e. going to the Rules Committee to get a rule for floor debate - which could include the possibility of amendments, but only requires a simple majority - 218 - for passage), or (2) they don't do anything at all.

I'll update as necessary. Please let me know if you have questions, and please forward to those that may also need this information. Thanks!

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 9:25 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Here's the transcript of the debate from last night. I'm gathering information on when a vote is likely to occur and will pass that along when available. At this point, it is unclear that the Majority has the votes to pass it.

<< File: House Floor Debate on DTV Delay Act (Congressional Record, 1.28.09).doc >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 5:30 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill
Importance: High

Here's the latest: Things are running a bit behind schedule on the House floor, so looks like they won't reach the 40 minutes of debate until later this evening. Attached please find the House version of S. 328. There are a couple differences, which will require the Senate to vote again (and they are not necessarily happy about that).

The changes are located at: (1) page 3; line 23 - this language had to be added to solve a 'pay go' problem (and a Point of Order on the floor), and (2) page 4; line 22 where there is different language for public safety.

<< File: S328_SUS_xml.pdf >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action on DTV Delay Bill

The House will have debate on the DTV delay bill tonight. However, the vote will occur tomorrow. The House will take up the Economic Stimulus package at some point after 3:30 PM, and have up to 3.5 hours of debate. Debate on the DTV bill will occur after debate on the Economic Stimulus package has ended. Please let me know if you have any questions.

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 7:59 PM
To: Rafael Fernandez
Subject: FW: Senate Appropriations Mark Up Language

Importance: High

Attachments: Senate Appropriations Mark Up Text - 1.27.09.pdf

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 6:01 PM
To: Rick Chessen; Rosemary Harold; Rudy Briche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Appropriations Mark Up Language
Importance: High

Attached is what we understand to be the marked up language from the Senate Appropriations Committee today. This includes language on the broadband section, so please look to page 13 (the second page of the document) and 22 (the third page of the document). The language we are looking for is included at pages 40-41 (the 6th and 7th page of the document). Finally, there is additional DTV language at pages 57-58 (at the end).

Basically, looks like they are providing \$90,000,000 to NTIA for outreach, giving them the ability to provide grants to outside groups including the FCC. Please let us know if you have any questions.

Thanks!



Senate
Appropriations Mark Up

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 7:59 PM
To: Rafael Fernandez
Subject: FW: House Action on DTV Delay Bill

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
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Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

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<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Rafael Fernandez

From: Rosemary Harold
Sent: Friday, March 06, 2009 7:53 PM
To: Rafael Fernandez
Subject: FW: Markey Has First Class Solution To Expediting Coupons

From: Michael Knipe [mailto:haroldknipe@msn.com]
Sent: Friday, January 09, 2009 8:07 PM
To: Rosemary Harold
Subject: B&C: Markey Has First Class Solution To Expediting Coupons

Markey Has First Class Solution To Expediting Coupons

Draft now circulating would allow NTIA to start procession requests that were put on hold

By John Eggerton -- Broadcasting & Cable, 1/9/2009 3:37:00 PM

A draft is now circulating of Massachusetts Rep. Ed Markey's bill to free up more DTV-to-analog converter box coupons.

As expected, the bill would make an accounting change to allow the National Telecommunications & Information Administration (NTIA) to start processing requests it has put on hold due to lack of access to funds.

But it would also require those with freed-up requests to get their coupons via first class mail, at least up until Feb. 17, 2009, and beyond if that is deemed necessary. The bill does not signal Markey does not support at least exploring the possibility of moving that date, as Barack Obama has proposed, said an aide. "Just because the draft bill doesn't move the date doesn't mean that can't happen in a separate vehicle. This bill is designed to be short and to the point of dealing with current waiting-list issue. The decision on date switch can come later."

NTIA has been sending the coupons out via the more cost-efficient bulk mail designation. The difference between a 42-cent first-class stamp and a 25-cent standard may seem small, but multiplied by some 17 million envelopes—figuring for 33.5 million coupons the agency has money to issue if all of them are redeemed—the savings could be close to \$3 million.

Markey's Energy & Commerce Committee called on the Post Office to expedite mailings last summer, but the Post Master General said it would be impossible to do so with coupons already mailed.

A spokesman for Markey said the change in the law would not change NTIA's relationship to IBM, which subcontracted the distribution, or with the Post Office. "The answer is that it is "pre-sorted" first class and that NTIA has the money currently to do this and would be paying IBM to perform this." He said, adding that NTIA and IBM are "already discussing how to do this."

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Thursday, January 22, 2009 4:23 PM
To: Eloise Gore
Subject: FW: DTV Delay

From: Lori Maarbjerg
Sent: Thursday, January 22, 2009 4:23 PM
To: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay

I am hearing that Senate may try again tonight - delay to June 12th, plus \$250 million more for coupons.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 10:03 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen; Jim Balaguer; Joy Medley
Subject: DTV Bill - Senate

Importance: High

Attachments: DTV Transition Draft 1-22-09.pdf

Here's the DTV bill from the Senate side. Still trying to track down when it is likely to come up. I will look at this and do a quick summary and send that around as well. A quick preview looks like they have added in the House language allowing stations to continue to terminate early, added in new language for public safety, extend the auction authority for the FCC to 2012, and allow for replacement coupons to households with expired coupons.



DTV Transition
Draft 1-22-09.p...

Tracking:

Recipient

Monica Desai
Eloise Gore
Mindy Ginsburg
Jim Schlichting
Charles Mathias
Julius Knapp
Cathy Seidel
Pam Slipakoff
Mark Stone
Michelle Carey
Deana Funderburk
Timothy Strachan
Rick Chessen
Jim Balaguer
Joy Medley

Read

Read: 1/23/2009 10:05 AM

Read: 1/23/2009 10:13 AM

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 9:45 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen
Subject: RE: DTV Delay: Question from Sen. Byrd

Adding Rick.

Also, Senator Byrd's staff has inquired again today about a response to her inquiry from last week. We also have the request from CBO for information on the impact to 700 MHz bidders.

It is my understanding that the Senate has reached an agreement, and that they will try to pass a bill possibly as early as today. Thanks!

From: Lori Maarbjerg
Sent: Friday, January 16, 2009 11:12 AM
To: Mark Stone; Michelle Carey; Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff
Cc: Deana Funderburk; Timothy Strachan
Subject: DTV Delay: Question from Sen. Byrd

Senator Byrd's staff has two questions regarding the possible extension of the DTV transition date. As you probably know, Senator Byrd sits on the Senate Appropriations Committee.

- (1) What is the impact on industry of a DTV transition extension generally; and
- (2) Does the federal govt have any contractual obligations to the 700 MHz auction winners that would need to be renegotiated, and whether that would cost money.

I am in the process of summarizing and comparing the two DTV Date Delay bills and will circulate that when available, but wanted to pass along these questions in the interim. Thanks!

Lori

Lori Holy Maarbjerg
Senior Attorney-Advisor
Office of Legislative Affairs
Federal Communications Commission
Direct Phone: 202.418.1908
Main Phone: 202.418.1900
Fax: 202.418.2806

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 11:31 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey; Alan Stillwell; Bruce Romano
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen; Jim Balaguer; Joy Medley
Subject: RE: DTV Bill - Senate

As an update, I heard that there are holds on the Senate bill, so although there may have been agreement between the Majority and Minority Commerce Committee leadership, there may be others in the Senate with reservations. Public safety is not happy with the language as it exists, and apparently they want access to their spectrum on 2.18.2009, not whenever a broadcaster decides to vacate early. Stay tuned...

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 10:30 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey; Alan Stillwell; Bruce Romano
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen; Jim Balaguer; Joy Medley
Subject: RE: DTV Bill - Senate

Adding others in OET as I understand Julie is out.

Here's a quick summary/comparison of the Amended Senate version (as distributed below) with the original senate draft from last week. I've also re-attached the language, and provided a document that shows the changes in the statutory language.

Please let me know if you have any questions or see any technical issues with the language. I did note that there may be an issue with the language for public safety. While I believe they are trying to reference channels 63, 64, 68 and 69, I think they have a typo for channel 63 - they reference allowing use in 768 - 776 MHz. (see page 5 line 2 of the bill text). I think it should be 764 MHz? If so, please let me know and I can alert the staff to this technical issue.

<< File: Side-by-Side Senate DTV Bills (original draft v amended version).doc >> << File: DTV Transition Draft 1-22-09.pdf >> << File: Modifications to Deficit Reduction Act DTV language by 1.22.09 Senate Draft language.doc >>

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 10:03 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen; Jim Balaguer; Joy Medley
Subject: DTV Bill - Senate
Importance: High

Here's the DTV bill from the Senate side. Still trying to track down when it is likely to come up. I will look at this and do a quick summary and send that around as well. A quick preview looks like they have added in the House language allowing stations to continue to terminate early, added in new language for public safety, extend the auction authority for the FCC to 2012, and allow for replacement coupons to households with expired coupons.

<< File: DTV Transition Draft 1-22-09.pdf >>

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 10:30 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey; Alan Stillwell; Bruce Romano
Cc: Deana Funderburk; Timothy Strachan; Rick Chessen; Jim Balaguer; Joy Medley
Subject: RE: DTV Bill - Senate

Attachments: Side-by-Side Senate DTV Bills (original draft v amended version).doc; DTV Transition Draft 1-22-09.pdf; Modifications to Deficit Reduction Act DTV language by 1.22.09 Senate Draft language.doc

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Side-by-Side
Senate DTV Bills ...



DTV Transition
Draft 1-22-09.p...



Modifications to
Deficit Reduc...

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Sent: Friday, January 23, 2009 10:03 AM
To: Monica Desai; Eloise Gore; Mindy Ginsburg; Jim Schlichting; Charles Mathias; Julius Knapp; Cathy Seidel; Pam Slipakoff; Mark Stone; Michelle Carey
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<< File: DTV Transition Draft 1-22-09.pdf >>

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 23, 2009 5:01 PM
To: Rick Chessen; Eloise Gore; Monica Desai; Cathy Seidel; Pam Slipakoff; Julius Knapp; Bruce Romano; Alan Stillwell; Jim Schlichting
Cc: Deana Funderburk
Subject: Synopsis: DTV Bills

Attachments: DTV Transition Draft 1-22-09.pdf; GRA09048_xml.pdf; WAXMAN_004_xml.pdf; Barton-Stearns DTV Fix (1.19.09).pdf; Side-by-Side Senate DTV Bills (original draft v amended version).doc; Side-by-Side Senate V. House DTV Delay Bills.doc

Here's a brief synopsis of the status of the various DTV bills:

SENATE:

(1) Senate DTV Delay Bill (Rockefeller/Hutchison): Senate Democrats attempted to bring up the revised draft bill late on Thursday evening. Apparently, several "holds" were placed on the bill preventing it from being passed by unanimous consent. It is unclear who placed a hold, but it could be that some are not "hard" holds - just Senators that wanted more time to review the language before it passed. In addition, public safety is not happy with the language because it does not give them access to their spectrum in February, so it is possible that the bill was held up for that reason as well. Senate was not in session today, returns on Monday at 2 PM. Text attached.



DTV Transition
Draft 1-22-09.p...

(2) Senate DTV Converter Box Coupon Bill - S. 300 (Gregg): Senator Gregg introduced a bill that would provide an additional \$250 million for converter boxes. Text attached.



GRA09048_xml.pdf
(25 KB)

HOUSE:

(1) House DTV Delay Bill (Waxman): Chairman Waxman postponed a scheduled mark up of the bill on Wednesday, citing the need to review the implications of the failure of Senate to pass a delay bill. At this point, the mark up has not been rescheduled, and the House may wait for the Senate to act and take up the Senate bill as opposed to marking up and debating their own version. Text attached.



WAXMAN_004_xml.
pdf (67 KB)

(2) House DTV Converter Box Coupon Bill - H.R. 661 (Barton/Stearns): Reps. Barton and Stearns introduced their proposal to fix the DTV coupon issue. Like S. 300, they propose to give an additional \$250 million for converter boxes, and have NTIA send out coupons first class mail. The bill would also extend auction authority until 2012. The findings and text of this bill is likely the base for the Republican arguments against a delay bill if there is floor debate. Text attached.



Barton-Stearns DTV
Fix (1.19.0...

COMPARISONS/SUMMARIES:

Attached are two summaries/comparisons - the first is a comparison of the original Senate draft with the new amended version. The second is a comparison of the Waxman bill with the amended Senate bill.



Side-by-Side
Senate DTV Bills ...Senate V. House D..



Side-by-Side

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Monday, January 26, 2009 9:13 PM
To: Eloise Gore
Subject: Re: Senate Vote to Delay

I'm assuming it is the same bill that I summarized last week. The money will be in the economic stimulus bill.

----- Original Message -----

From: Eloise Gore
To: Lori Maarbjerg
Sent: Mon Jan 26 21:12:09 2009
Subject: Re: Senate Vote to Delay

I wonder if they gave us money or guidance. We need both.
Non-Public
For Internal Use Only

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Lori Maarbjerg
To: Eloise Gore; Rick Chessen; Cathy Seidel; Pam Slipakoff; Julius Knapp; Thomas Horan; Alan Stillwell
Cc: Jill Pender; Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Mon Jan 26 20:45:36 2009
Subject: Senate Vote to Delay

Please forward to anyone I may have left off. AP is reporting that the Senate voted to delay the DTV transition to June 12 by UC. The House Energy and Commerce Committee is scheduled to mark up their bill tomorrow morning. I will be attending the mark up and will provide additional info as it becomes available

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 7:28 AM
To: Eloise Gore; Rick Chessen; Cathy Seidel; Pam Slipakoff; Julius Knapp; Thomas Horan; Alan Stillwell
Cc: Jill Pender; Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Senate Vote to Delay

Fyi. The House Energy and Commerce Committee has cancelled the mark up. They plan to bring the Senate bill to the House floor today. I will continue to monitor the situation and provide updates as necessary. Thanks!

----- Original Message -----

From: Lori Maarbjerg
To: Eloise Gore; Rick Chessen; Cathy Seidel; Pam Slipakoff; Julius Knapp; Thomas Horan; Alan Stillwell
Cc: Jill Pender; Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Mon Jan 26 20:45:36 2009
Subject: Senate Vote to Delay

Please forward to anyone I may have left off. AP is reporting that the Senate voted to delay the DTV transition to June 12 by UC. The House Energy and Commerce Committee is scheduled to mark up their bill tomorrow morning. I will be attending the mark up and will provide additional info as it becomes available

Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 16:56:45 2009
Subject: Recap: DTV Delay Bill

Here's a brief recap of today's events in a condensed format. Please forward to anyone else who may need it.

- * After 40 minutes of debate on Tuesday evening, a roll call vote on the House version of S. 328 was postponed until today.
- * The bill was brought to the floor under suspension of the rules which requires 2/3s of the House to approve the measure for it to pass (i.e. 285 votes)
- * The final vote was 258-168, and the measure was not agreed to.
- * The Majority can bring the measure back up under regular order by going to the Rules Committee to establish a rule for consideration, which could include floor amendments, but only requires a simple majority to pass (i.e. 218).
- * While Chairman Waxman has not released an official statement on the next steps, at this point, I'm hearing that because they were able to garner over 250 votes in the affirmative, there is a possibility that they will take up the measure next week prior to the House Democratic Retreat on Thursday and Friday.
- * If the House is successful in passing S. 328 next week, it still has to go back to the Senate because the language is different.
- * On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear the backlog of coupon requests in the NTIA program.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 2:36 PM
To: Lori Maarbjerg; Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

Update: Looks like House may take the bill to the Rules Committee on Tuesday, Feb. 3rd, with the intent of bring it back to the floor on Wednesday, Feb. 4th. Assuming it passes, it would then go back to the Senate. At this point, I am not hearing that the Senate now has plans to try to take up the amended measure prior to the House acting next week. This is primarily due to renewed opposition from some Republican Senators. A hold was placed on the bill in the Senate last night, which is why they did not bring up the amended version.

-----Original Message-----

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 11:20 AM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: RE: Recap: DTV Delay Bill

As an Update: The Senate did not take up the revised House DTV Bill last night. Unclear if/when they will do so. I'll let you know if anything changes. On the House side, no specifics beyond Chairman Waxman saying that he is working with the Majority Leadership to discuss all the options.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:22 PM
To: Rudy Brioche; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

House Democratic staff indicated to me that there will not be a report, but offered to possibly send us a letter to help with any implementation issues.

----- Original Message -----

From: Rudy Brioche
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley

Sent: Wed Jan 28 19:14:45 2009
Subject: RE: Recap: DTV Delay Bill

...so no conference would be necessary and the bill could go straight to the President.

Lori, do you know whether there will be any committee report language on the many implementation issues Eloise and others raised during our meeting Monday am?

To be sure, I'm not asking for guidance on the Commission's behalf. I just want to know whether they intend to provide it, formally.

*** Non-Public: For Internal Use Only *** -----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 7:02 PM
To: Lori Maarbjerg; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Re: Recap: DTV Delay Bill

We've just heard that the Senate intends to pass the amended House version in order to expedite the process. That action is anticipated tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Wed Jan 28 16:56:45 2009
Subject: Recap: DTV Delay Bill

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- * On a side note, Reps. Barton and Stearns have proposed their bill (H.R. 661) as an alternative to a date delay. It would provide \$250 million for coupons in order to clear the backlog of coupon requests in the NTIA program.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 7:33 PM
To: Rosemary Harold; Rick Chessen; Rudy Brioche; Gary Epstein
Subject: Re: Just heard that the DTV Delay Act passed the Senate again

I'll see what I can find out.

----- Original Message -----

From: Rosemary Harold
To: Rick Chessen; Rudy Brioche; Gary Epstein
Cc: Lori Maarbjerg
Sent: Thu Jan 29 19:12:59 2009
Subject: Just heard that the DTV Delay Act passed the Senate again

I assume Lori will confirm this officially, but my source seems reliable!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Thursday, January 29, 2009 7:37 PM
To: Rosemary Harold; Rick Chessen; Rudy Brioche; Gary Epstein
Subject: Re: Just heard that the DTV Delay Act passed the Senate again

Yes. I've confirmed that it passed by UC tonight.

----- Original Message -----

From: Lori Maarbjerg
To: Rosemary Harold; Rick Chessen; Rudy Brioche; Gary Epstein
Sent: Thu Jan 29 19:32:49 2009
Subject: Re: Just heard that the DTV Delay Act passed the Senate again

I'll see what I can find out.

----- Original Message -----

From: Rosemary Harold
To: Rick Chessen; Rudy Brioche; Gary Epstein
Cc: Lori Maarbjerg
Sent: Thu Jan 29 19:12:59 2009
Subject: Just heard that the DTV Delay Act passed the Senate again

I assume Lori will confirm this officially, but my source seems reliable!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 30, 2009 9:19 AM
To: Rudy Brioché; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Subject: Senate Passed Amended DTV Delay Bill
Attachments: S. 352 (Amended Senate DTV bill - as passed).pdf



S. 352 (Amended
Senate DTV bil...

Last night by UC, the Senate passed the House version of the DTV Delay bill. There's a new bill number - S. 352. The text is attached.

As I understand it, the House is still likely to take up the bill next week by going to the Rules Committee on Tuesday, and to the floor on Wednesday. There's a Democratic Retreat next Thursday and Friday, so if it's going to happen it'll be before then.

Please let me know if you have any questions. Thanks!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 30, 2009 10:16 AM
To: Eloise Gore
Subject: FW: WH Statement on Senate Passage

"Poor planning and inadequate funding of the DTV conversion means that millions of Americans risk being left in the dark on February 17th. This bipartisan legislation which again passed unanimously in the Senate tonight appropriately acknowledges the needs of both the American consumer and the public safety community. We urge the House to move quickly to pass this bill, and we will work with Congress to improve the information and assistance available to Americans as the nation moves to digital television."

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Friday, January 30, 2009 10:12 AM
To: Eloise Gore
Subject: RE: Senate Passed Amended DTV Delay Bill

No. Looking for it.

-----Original Message-----

From: Eloise Gore
Sent: Friday, January 30, 2009 10:10 AM
To: Lori Maarbjerg
Subject: Re: Senate Passed Amended DTV Delay Bill

Do you have Obama's statement?

Non-Public
For Internal Use Only

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Lori Maarbjerg
To: Rudy Brioché; Mark Wigfield; Jeff Cohen; Jill Pender; Rick Chessen; Rosemary Harold; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt
Cc: Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley
Sent: Fri Jan 30 09:18:39 2009
Subject: Senate Passed Amended DTV Delay Bill

Last night by UC, the Senate passed the House version of the DTV Delay bill. There's a new bill number - S. 352. The text is attached.

As I understand it, the House is still likely to take up the bill next week by going to the Rules Committee on Tuesday, and to the floor on Wednesday. There's a Democratic Retreat next Thursday and Friday, so if it's going to happen it'll be before then.

Please let me know if you have any questions. Thanks!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Saturday, January 31, 2009 8:52 AM
To: Eloise Gore
Subject: Re: DTV question

No prob. I still want to chat with Rick about it before I get it to Neil. He didn't need it yesterday.

----- Original Message -----
From: Eloise Gore
To: Lori Maarbjerg
Sent: Fri Jan 30 23:43:40 2009
Subject: Re: DTV question

Sorry. My day exploded. I think Barbara gave you all the info but you saw my last comment. Let me know if you need something more.
Non-Public
For Internal Use Only

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: Lori Maarbjerg
To: Eloise Gore
Sent: Fri Jan 30 16:15:45 2009
Subject: Fw: DTV question

I will wait to see if you would like to add anything.

----- Original Message -----
From: Barbara Kreisman
To: Lori Maarbjerg; Eloise Gore
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis
Sent: Fri Jan 30 16:02:25 2009
Subject: RE: DTV question

Under the Waxman/Rockefeller bills, how many stations could turn off their analog transmissions and turn on post-transition fully authorized digital facilities.

About 1,000 stations, where their pre and post channels are the same with no maximizations can turn off analog and continue operating.

The approximately remaining 800 stations would require engineering analysis to determine whether they can transition without causing interference to analog and pre-transition digital stations.

Chief, Video Division
Media Bureau, FCC
202-418-1605

-----Original Message-----
From: Lori Maarbjerg
Sent: Friday, January 30, 2009 3:26 PM
To: Eloise Gore; Barbara Kreisman
Cc: Rick Chessen; Gary Epstein
Subject: Fw: DTV question
Importance: High

I received this question from Rankiing Member Barton's staff. What would it take to get

him an answer? As you know, the pending bills contain language regarding the Third Periodic early termination process, and I believe he is trying to get a handle on what the possible outcome would be for stations. I know that everyone is probably being pulled in many directions, so I'm including Rick and Gary so they are aware of this request.

I am currently at home (not feeling well) but I am accessible via e-mail, if necessary.
Thanks!

----- Original Message -----

From: Fried, Neil <Neil.Fried@mail.house.gov>

To: Lori Maarbjerg

Sent: Fri Jan 30 14:06:20 2009

Subject: DTV question

Lori,

Under the Waxman/Rockefeller bills, how many stations could turn off their analog transmissions and turn on post-transition fully authorized digital facilities.

Neil

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Monday, February 02, 2009 9:44 AM
To: Eloise Gore; Barbara Kreisman
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis; Nazifa Sawez; Shaun Maher; Robert Ratcliffe; Evan Baranoff; Thomas Horan
Subject: RE: More: DTV question

Absent a response to Eloise's question below, I have distilled the information provided into a few bullet points. Please confirm that my understanding is correct:

- Around 1000 stations have the same pre-transition channel as post-transition channel (and no maximizations). Thus, these stations could turn off analog and operate post-transition channel without engineering analysis. Under existing rules, no FCC approval necessary within 90 days of transition deadline with proper notification to FCC and compliance with viewer notifications for 30 days. If more than 90 days before transition deadline, stations must receive FCC approval to terminate analog channel.
- The remaining stations (approximately 800) would require an engineering analysis to determine whether their post-transition can be operated without interference to other stations (i.e. Any analog and pre-transition digital stations).
 - o Approximately 70 stations have been granted permission to shut off analog channel and have been approved to operate on their post-transition channel.
 - o Additionally, stations could turn off their analog stations and stay on their pre-transition digital channel as long as the pre-transition channel does not cause interference to any post-transition channel. The implication of this is that there could be additional signal loss areas because existing rules only require 100% coverage to all existing viewers on pre-transition channels if the pre-transition channel is going to be operated after the transition (but not before). Thus, if there is a delay to June 12th, stations could request to shut off analog, operate on pre-transition channel between now and June 12th, and not have to serve 100% of viewers until June 13th.

-----Original Message-----

From: Eloise Gore
Sent: Saturday, January 31, 2009 9:24 AM
To: Barbara Kreisman; Lori Maarbjerg
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis; Nazifa Sawez; Shaun Maher; Robert Ratcliffe; Evan Baranoff; Thomas Horan
Subject: Re: More: DTV question

Barbara -

Can you determine which or how many of the "close to 70 or 80% of the pre-transition channels that DO NOT provide service to all of the existing analog viewers" would provide service to substantially more of their existing analog viewers on their post-transition digital channel? That is, can we distinguish the (permanent) analog loss circumstance (eg OET's maps) from the temporary loss of operating on the pre that isn't post? And, of course, as you point out, this is not a problem if we can approve the operation of the post-transition facility (or maximized facility) during the new (pre-6/12) pre-transition period.

Thank you.

Non-Public

For Internal Use Only

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Barbara Kreisman
To: Lori Maarbjerg; Eloise Gore
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis; Nazifa Sawez; Shaun Maher

Sent: Fri Jan 30 17:22:20 2009
Subject: More: DTV question

More: According to the 3rd periodic if stations remain on their pre-transition channel they must provide service to ALL (100%) of their existing (analog and DTV) viewers. Further, they may not cause interference to post-transition facilities. In addition, it is correct that close to 70 or 80% of the pre-transition channels in fact DO NOT provide service to all of the existing analog viewers.

-----Original Message-----

From: Lori Maarbjerg
Sent: Friday, January 30, 2009 4:33 PM
To: Barbara Kreisman; Eloise Gore
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis
Subject: Re: DTV question

Of the 800 stations that would need engineering analyses to turn off analog and operate on post-transition channel, would the existing rules allow for them to turn off the analog and stay on their pre-transition channel?

Yes, they can turn off their analog and stay on their authorized pre transition facilities.

If so, what are the possible implications of that - possible signal loss areas? There could be some, case by case, cannot respond with specificity.

Have there been any of these stations that have requested and had permission granted?

If you are asking how many stations have been approved to operate on their post-transition channel--about 70.

----- Original Message -----

From: Barbara Kreisman
To: Lori Maarbjerg; Eloise Gore
Cc: Rick Chessen; Gary Epstein; Gordon Godfrey; Kevin Harding; Clay Pendarvis
Sent: Fri Jan 30 16:02:25 2009
Subject: RE: DTV question

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Chief, Video Division
Media Bureau, FCC
202-418-1605

-----Original Message-----

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Sent: Friday, January 30, 2009 3:26 PM
To: Eloise Gore; Barbara Kreisman
Cc: Rick Chessen; Gary Epstein
Subject: Fw: DTV question
Importance: High

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Thanks!

----- Original Message -----

From: Fried, Neil <Neil.Fried@mail.house.gov>

To: Lori Maarbjerg

Sent: Fri Jan 30 14:06:20 2009

Subject: DTV question

Lori,

Under the Waxman/Rockefeller bills, how many stations could turn off their analog transmissions and turn on post-transition fully authorized digital facilities.

Neil

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Monday, February 02, 2009 12:32 PM
To: Rick Chessen; Gary Epstein
Cc: Connie Chapman; Eloise Gore; Barbara Kreisman; Nazifa Sawez; Shaun Maher
Subject: FW: Barton and Stearns Question Ability of Stations to Transition Early

Attachments: 2.2.09_DTV_Delay_Letter_to_Acting_Chairman_Copps.pdf



2.2.09_DTV_Delay_
Letter_to_Act...

Here's a letter that Barton and Stearns have sent the Chairman re: the ability of stations to transition early. As you know, I have been working with MB staff to gather the information necessary to informally respond to Mr. Barton's staff regarding this issue. This letter asks for a formal response by 3 PM tomorrow. I can work with MB staff to continue to gather the information requested, and draft a formal response for your review.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Tuesday, February 03, 2009 3:55 PM
To: Rick Chessen; Gary Epstein; Eloise Gore; Barbara Kreisman; Julius Knapp; Mark Wigfield; Edie Herman; David Fiske
Cc: Connie Chapman; Jill Pender
Subject: Response to Feb. 2nd Letter from Reps. Barton and Stearns

Importance: High

Attachments: Response to Reps. Barton and Stearns with attachment.pdf

Attached is the final response to Mr. Barton and Mr. Stearns with the attachment. Chairman Copps has indicated that he would like to provide the Congressman with time to review and will not release the letter to the public until tomorrow morning (unless the Congressmen release it first).



Response to Reps.
Barton and S...

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Tuesday, February 03, 2009 7:43 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; William Freedman; David Furth
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action - Rules Cmte

First - please forward to any that may need this e-mail, but may not be included.

It is my understanding that the House Rules Committee has issued a closed rule that does not allow for any amendments.

Still tracking down more details regarding how much floor debate will be allowed and exactly when it will come to the floor. More updates to follow tomorrow.

----- Original Message -----

From: Lori Maarbjerg
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Sent: Wed Jan 28 13:15:18 2009
Subject: RE: House Action on DTV Delay Bill

Sorry I realize that I was not clear in my e-mail. The DTV Delay Bill failed to gain a 2/3 majority vote. They needed more than 285 votes, they received 258. The DTV transition date is still 2.17.2009. Reuters has a report that says differently, but that is erroneous.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:54 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Vote failed on a final tally of 258 - 168.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:24 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Debate finished on the rule. They are voting on the Economic Stimulus package rule right now. House Cloakroom confirmed the DTV bill vote will occur right after. C-SPAN is channel 21 on the internal system.

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 12:17 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; Jeff Cohen; David Furth
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill
Importance: High

At this point, things are pretty fluid. The House is in the middle of debate on the rule for the Economic Stimulus Package. After that debate, they expect to take up a series of votes, and it's my understanding that the DTV Delay bill is included in that first round. Thus, this could happen within the next hour or so. It's also possible that the vote will be put off until later in the day. If that is the case, the last votes are expected by 6 PM.

Again, I am trying to gather additional information on what the expected outcome will be. As of last night, there didn't seem to be much confidence that they had the required votes for passage (i.e. at least 290), but we will see. Further, assuming that it does pass, it has to go back to the Senate for another vote. If it fails in the House, the Majority has the option of (1) taking it up under regular order (i.e. going to the Rules Committee to get a rule for floor debate - which could include the possibility of amendments, but only requires a simple majority - 218 - for passage), or (2) they don't do anything at all.

I'll update as necessary. Please let me know if you have questions, and please forward to those that may also need this information. Thanks!

From: Lori Maarbjerg
Sent: Wednesday, January 28, 2009 9:25 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill

Here's the transcript of the debate from last night. I'm gathering information on when a vote is likely to occur and will pass that along when available. At this point, it is unclear that the Majority has the votes to pass it.

<< File: House Floor Debate on DTV Delay Act (Congressional Record, 1.28.09).doc >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 5:30 PM
To: Lori Maarbjerg; Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: House Action on DTV Delay Bill
Importance: High

Here's the latest: Things are running a bit behind schedule on the House floor, so looks

like they won't reach the 40 minutes of debate until later this evening. Attached please find the House version of S. 328. There are a couple differences, which will require the Senate to vote again (and they are not necessarily happy about that).

The changes are located at: (1) page 3; line 23 - this language had to be added to solve a 'pay go' problem (and a Point of Order on the floor), and (2) page 4; line 22 where there is different language for public safety.

<< File: S328_SUS_xml.pdf >>

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action on DTV Delay Bill

The House will have debate on the DTV delay bill tonight. However, the vote will occur tomorrow. The House will take up the Economic Stimulus package at some point after 3:30 PM, and have up to 3.5 hours of debate. Debate on the DTV bill will occur after debate on the Economic Stimulus package has ended. Please let me know if you have any questions.

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioche; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Briocche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte
Attachments: Rule for Consideration of S. 352.pdf



Rule for
consideration of S. 3.

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action

Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

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From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:18 AM
To: Scott Deutchman
Cc: Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

Yes. Tim is working on that now.

-----Original Message-----

From: Scott Deutchman
Sent: Wednesday, February 04, 2009 11:17 AM
To: Lori Maarbjerg
Subject: RE: Update: DTV Delay Bill: House Action

Also, any word on the approps confirmation? If so can you put on the email from yesterday?

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action
Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

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From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

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Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:19 AM
To: Scott Deutchman
Subject: RE: DTV Delay Bill: House Action - Rules Cmte

Attachments: Summary of S. 328 & S. 352.doc; S. 352 (Amended Senate DTV bill - as passed).pdf



Summary of S. 328 & S. 352 (Amended
& S. 352.doc... Senate DTV bil...

I can give you the Senate passed version. Given there are no amendments, this would be what will pass the House today. Once we have a final enrolled bill, I can distribute that.

-----Original Message-----

From: Scott Deutchman
Sent: Wednesday, February 04, 2009 11:17 AM
To: Lori Maarbjerg
Subject: RE: DTV Delay Bill: House Action - Rules Cmte

Lori can I get a copy of the final bill?

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

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Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:14 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

The House is starting debate on the rule for the DTV Delay bill. There could be up to one hour of debate on the rule, followed by a vote on the rule to move to general debate. Once the rule is approved, they will move to debate on the bill itself, where there could be up to one hour of debate. After that, they will vote on final passage.

If you would like to watch the debate, you can see it on channel 21 on internal TV system. The House floor debate can also be viewed at: http://www.cspan.org/Watch/C-SPAN_wm.aspx

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action
Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 8:52 AM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 4:13 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

Importance: High

At the conclusion of debate on the House floor, the House voted down a Motion to Commit the bill to the Energy and Commerce Committee, and then voted on final passage of the DTV Delay bill.

The final vote tally was 264 Yeas to 158 Nays.

Having secured a majority of House members, the bill will now be sent to the President for his signature, as the bill is identical to the Senate version that passed on 1/29/2009. Upon enactment, the DTV transition deadline is June 12, 2009.

-----Original Message-----

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:14 PM
To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: RE: Update: DTV Delay Bill: House Action

The House is starting debate on the rule for the DTV Delay bill. There could be up to one hour of debate on the rule, followed by a vote on the rule to move to general debate. Once the rule is approved, they will move to debate on the bill itself, where there could be up to one hour of debate. After that, they will vote on final passage.

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Sent: Wednesday, February 04, 2009 11:15 AM
To: Lori Maarbjerg; Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender
Cc: Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Update: DTV Delay Bill: House Action
Importance: High

According to House Cloakroom, it is anticipated that a vote on final passage of the DTV delay bill will occur approximately at 4 PM (subject to change). Debate on the DTV bill

will commence after conclusion of the debate on H.R. 2 SCHIP. We will send an e-mail when debate on the DTV Delay bill commences.

-----Original Message-----

From: Lori Maarbjerg

Sent: Wednesday, February 04, 2009 8:52 AM

To: Rick Chessen; Eloise Gore; Rosemary Harold; Rudy Brioche; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff; Bruce Romano; David Furth; William Freedman; Scott Deutchman; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt; Mark Wigfield; Jeff Cohen; Jill Pender

Cc: Jim Balaguer; Joy Medley; Timothy Strachan

Subject: DTV Delay Bill: House Action - Rules Cmte

Attached is the resolution providing the rule for floor consideration of S. 352 (DTV Delay Bill) in the House today. The rule is closed, meaning that there will be no amendments. There will be one hour of debate, equally divided between the Majority and Minority.

At this point, there is no specific time frame for when it will be debated. The House comes in at 10 AM this morning. They also will be taking up another non-FCC related bill today, after a period of "one-minute" speeches this morning. Last votes are expected by 5 PM.

Tracking:

Recipient	Read
Rick Chessen	
Eloise Gore	
Rosemary Harold	
Rudy Brioche	
Thomas Horan	
Barbara Kreisman	Read: 2/4/2009 4:20 PM
John Gabrysch	
Gordon Godfrey	
Roy Stewart	Read: 2/4/2009 4:14 PM
Julius Knapp	Read: 2/4/2009 4:13 PM
Alan Stillwell	
Ira Keltz	
Cathy Seidel	Read: 2/4/2009 7:34 PM
Louis Sigalos	
Patrick Webre	Read: 2/4/2009 4:16 PM
Joel Kaufman	Read: 2/4/2009 4:23 PM
Marilyn Sonn	Read: 2/4/2009 7:42 PM
Edie Herman	
Christopher Lewis	
Robin Rosenbaum	
Gary Epstein	
Mindy Ginsburg	
Joseph Hall	Read: 2/4/2009 4:13 PM
Mark Stone	
Jon Peha	
Krista Witanowski	
Pam Slipakoff	
Bruce Romano	
David Furth	

Recipient

Read

William Freedman
Scott Deutchman
Angela Giancarlo
Maureen McLaughlin
Roger Goldblatt
Mark Wigfield
Jeff Cohen
Jill Pender
Jim Balaguer
Joy Medley
Timothy Strachan

Read: 2/4/2009 5:06 PM

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Thursday, February 05, 2009 11:33 AM
To: Mark Wigfield; Rick Chessen; Eloise Gore; Barbara Kreisman; Julius Knapp
Subject: RE: press -- early conversion

I don't have any info on when the bill might be signed. Trying to see what I can find out.

From: Mark Wigfield
Sent: Thursday, February 05, 2009 11:20 AM
To: Rick Chessen; Eloise Gore; Barbara Kreisman; Julius Knapp; Lori Maarbjerg
Subject: press -- early conversion

Rick, we are getting lots of requests for the list of stations that have asked to convert early. I know earlier we didn't want to release this list for fear of causing confusion, since some may not switch but may have filed defensively.

However, there is also a risk of confusion if a station switches early and viewers don't know about it.

We might want to release this information on a as-requested basis, with a strong caveat that the reporter check with the station to confirm.

Lori, do we know when the White House will sign the bill? Are they subjecting the bill to their 5-day waiting period?

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Monday, February 09, 2009 2:11 PM
To: Rick Chessen; Gary Epstein
Cc: Jim Balaguer; Michael Perko; Joel Kaufman
Subject: Update: Enactment of DTV Delay bill

Importance: High

I understand that there was discussion today about the enactment of the DTV Delay bill, specifically, when the President is going to sign it.

We understand that although the bill has been posted on the White House webpage for several days, the Executive Office has not officially received the bill from the Congress. We have contacted the Senate side to see where the bill is, and staff is trying to find that out and will let us know, but they believe there could be a delay on the House side. I'm checking with House folks to see if they have any additional information.

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Monday, February 09, 2009 2:46 PM
To: Michael Perko; Rick Chessen; Gary Epstein
Cc: Jim Balaguer; Joel Kaufman
Subject: Re: Update: Enactment of DTV Delay bill

Thanks Mike! I also heard that the Speaker will be signing it this afternoon around/after 4 PM.

----- Original Message -----

From: Michael Perko
To: Lori Maarbjerg; Rick Chessen; Gary Epstein
Cc: Jim Balaguer; Joel Kaufman
Sent: Mon Feb 09 14:34:46 2009
Subject: RE: Update: Enactment of DTV Delay bill

The bill will come to the WH from the Senate. But it first must be signed by the Speaker of the House and that is where it is at the moment. Once she signs it (which I understand is expected this pm) it is returned to the Senate where Byrd will sign and then it will be sent on to the WH. The 5 day WH comment clock does not appear to be linked to receipt of the engrossed bill.

From: Lori Maarbjerg
Sent: Monday, February 09, 2009 2:11 PM
To: Rick Chessen; Gary Epstein
Cc: Jim Balaguer; Michael Perko; Joel Kaufman
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Lori Maarbjerg

From: Lori Maarbjerg
Sent: Tuesday, February 10, 2009 10:23 AM
To: Jim Balaguer
Subject: Re: DTV Delay Act with WH

Thanks. We have a serious issue and need it signed. I will see what they want us to do.

----- Original Message -----

From: Jim Balaguer
To: Lori Maarbjerg
Sent: Tue Feb 10 10:21:42 2009
Subject: RE: DTV Delay Act with WH

FYI - White House Executive Clerk's Office reports the bill was received late last night. Presently, they are not aware of any specific day/time when the President plans to sign the bill, or if the newly created 5 day period for public comment will be followed. White House reports he has until February 20 to sign the bill. (10 days from receipt, not including Sundays.)

-----Original Message-----

From: Lori Maarbjerg
Sent: Tuesday, February 10, 2009 10:04 AM
To: Jim Balaguer
Subject: DTV Delay Act with WH

Can you call to see when he's going to sign it now that they should have it. Thanks!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Tuesday, February 10, 2009 10:04 AM
To: Jim Balaguer
Subject: DTV Delay Act with WH

Can you call to see when he's going to sign it now that they should have it. Thanks!

Lori Maarbjerg

From: Lori Maarbjerg
Sent: Wednesday, February 11, 2009 5:01 PM
To: Mark Wigfield; Cathy Seidel; Roger Goldblatt
Subject: RE: white house signed the bill?

Yes. Sorry. It was signed today. I had provided that info on another e-mail chain. No Public Law number yet though.

From: Mark Wigfield
Sent: Wednesday, February 11, 2009 5:00 PM
To: Lori Maarbjerg; Cathy Seidel; Roger Goldblatt
Subject: white house signed the bill?

I'm told by Dow Jones that the President has signed the Digital Delay Act. If so, we will need to change our web site.