

**Cathy Seidel**

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**From:** Lori Maarbjerg  
**Sent:** Friday, January 16, 2009 8:53 AM  
**To:** Deana Funderburk; Monica Desai; Eloise Gore; Cathy Seidel; Michelle Carey; Mark Stone  
**Subject:** FW: DTV Delay Act  
**Attachments:** delayplus12.pdf

Here's the Rockefeller delay bill.

[STAFF WORKING DRAFT]

JANUARY 15, 2009

111TH CONGRESS  
1ST SESSION

S. \_\_\_\_\_

To postpone the DTV transition date.

IN THE SENATE OF THE UNITED STATES

JANUARY —, 2009

Mr. ROCKEFELLER (for himself and Mr. KERRY) introduced the following bill;  
which was read twice and referred to the Committee on

**A BILL**

To postpone the DTV transition date.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DTV Delay Act”.

5 **SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.**

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

1 (1) by striking “February 18, 2009;” in para-  
2 graph (1) and inserting “June 13, 2009;”; and

3 (2) by striking “February 18, 2009,” in para-  
4 graph (2) and inserting “that date”.

5 (b) EXTENSION OF COUPON PROGRAM.—Section  
6 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amend-  
7 ed by striking “March 31, 2009,” and inserting “July 31,  
8 2009,”.

9 (c) CONFORMING AMENDMENTS.—

10 (1) Section 3008(a)(1) of that Act (47 U.S.C.  
11 309 note) is amended by striking “February 17,  
12 2009.” and inserting “June 12, 2009.”.

13 (2) Section 309(j)(14)(A) of the Communica-  
14 tions Act of 1934 (47 U.S.C. 309(j)(14)(A)) is  
15 amended by striking “February 17, 2009.” and in-  
16 serting “June 12, 2009.”.

17 (3) Section 337(e)(1) of the Communications  
18 Act of 1934 (47 U.S.C. 337(e)(1)) is amended by  
19 striking “February 17, 2009,” and inserting “June  
20 12, 2009,”.

21 (d) EMERGENCY DESIGNATION.—Each amount made  
22 available under section 3005 of the Digital Television  
23 Transition and Public Safety Act of 2005 (47 U.S.C. 309  
24 note) as a result of the amendments made by this section  
25 is designated as an emergency requirement and necessary

1 to meet emergency needs pursuant to section 204(a) of  
2 S. Con. Res. 21 (110th Congress) and section 301(b)(2)  
3 of S. Con. Res. 70 (110th Congress), the concurrent reso-  
4 lutions on the budget for fiscal years 2008 and 2009.

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## Cathy Seidel

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**From:** Lori Maarbjerg  
**Sent:** Friday, January 16, 2009 1:33 PM  
**To:** Mark Stone; Michelle Carey; Monica Desai; Eloise Gore; Cathy Seidel; Pam Slipakoff; Thomas Horan; Julius Knapp; Bruce Romano; Alan Stillwell; Jim Schlichting; Charles Mathias  
**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Edward Bellafiore  
**Subject:** Side-by-Side Comparison of DTV Delay Bills

**Attachments:** Side-by-Side Senate V. House DTV Delay Bills.doc; WAXMAN\_004\_xml.pdf; Rockefeller-Kerry DTV Delay Bill.pdf

Attached please find the draft language for the House and Senate DTV Delay bills. Also attached is a side-by-side comparison/summary of the language.

It is my understanding that the Senate Commerce Committee will not be marking up the Rockefeller/Kerry bill. It is being held at the desk.

The House Energy and Commerce Committee is by passing the Subcommittee and is holding a full Committee mark up of the Waxman bill on Wednesday, January 21st.

Please let me know if you have any questions.

Lori



Side-by-Side Senate V. House D.. pdf (63 KB)  
WAXMAN\_004\_xml. DTV Delay Bi...

## Side-by-Side Comparison of DTV Delay Bills

ISSUE	H.R. ___ (Waxman)	S. ___ (Rockefeller)
Date Extension	Extends DTV transition deadline to June 12, 2009 (Pg. 2; Lines 4, 8, & 14)	Extends DTV transition deadline to June 12, 2009 (Pg. 2; Line 1; 13; & 17)
Converter Box Coupon Program Extension	Extends coupon availability to July 31, 2009. (Pg. 2; Line 18)	Extends coupon availability to July 31, 2009 (Pg. 2; Line 5).
Low Power TV Program	Extends LPTV D-to-A Conversion Program to deadline to June 12, 2009 (See Section 3008 of the DTV Transition and Public Safety Act of 2005). (Pg. 2; Line 21)	Extends LPTV D-to-A Conversion Program to deadline to June 12, 2009 (See Section 3008 of the DTV Transition and Public Safety Act of 2005). (Pg. 2; Line 10)
License Terms	Requires the FCC to "postpone the commencement and the expiration" of the licenses for the recovered analog spectrum for a 116-day period. (Pg. 2; Line 24)	No provision in draft Senate bill.
Expiration Date of Coupons	Extends expiration of coupons to September 15, 2009 for coupons that are issued after – or those that remain unexpired or unredeemed on – the date of enactment. (Pg. 3; Line 5)	No provision in draft Senate bill.
Already Expired Coupons	Requires NTIA to issue – at the request of a household – one replacement coupon for each coupon that was issued to the household prior to enactment that had expired without being redeemed. (Pg 3; Line 18)	No provision in draft Senate bill.
Delivery of Coupons	Required NTIA to expedite the delivery of coupons by using First-Class mail if delivered by USPS. (Pg. 4; line 5) Deletes reference to USPS in Section 3005 (Note: This may allow other methods of delivery). (Pg. 4; Line 16)	No provision in draft Senate bill.
Early Termination by Broadcasters	Allows broadcasters to continue to use the flexibility granted by the FCC in the Third Periodic Review to terminate analog service early. (Pg. 5; Line 21)	No provision in draft Senate bill.

Side-by-Side Comparison of DTV Delay Bills

ISSUE	H.R. ____ (Waxman)	S. ____ (Rockefeller)
Expedited Rulemakings	Requires the FCC and NTIA – “notwithstanding any other provision of law” – to adopt or revise its rules to carry out the provisions of the Act, not later than 30 days from enactment. (Pg. 5; Line 14)	No provision in draft Senate bill.
Auction Authority	Extends auction authority to 2012 from 2011.	No provision in draft Senate bill.
Experimental Use/Testing During Extended Transition Period	Requires the FCC to develop and implement a program to the extent technically feasible – not later than 2.15.2009 – to allow the successful bidders in for the recovered 700 MHz band to use the spectrum between 54 and 698 MHz for experimentation and testing purposes between 2.18.2009 and 6.13.2009. (Pg. 6; Line 7). The FCC must: (1) take into account market-by-market needs; (2) ensure that the experimentation and testing will not cause harmful interference to digital TV signals; (3) take into consideration TV station transition/coordination plans; and (4) prohibit experimentation/testing on spectrum approved or pending approval by the FCC for public safety radio services. (Pg. 6; Line 24). FCC also has the flexibility to impose additional limitations consistent with the public interest. (Pg. 6; Line 12). “Experimentation and testing purposes” are those uses described in FCC’s 2 <sup>nd</sup> R&O (22 FCC Rcd. 15289) (Pg. 7; Line 22).	No provision in draft Senate bill.
Emergency Designation	No provision in draft House bill.	Makes an “emergency designation” for each amount made available under section 3005 (Converter Box Coupon Program) to “meet emergency needs.” (Pg. 2; Line 21)

[DISCUSSION DRAFT]

111TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Digital Television Transition and Public Safety Act of 2005 and the Communications Act of 1934 to establish a new digital television transition date, to improve the digital-to-analog converter box program, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. WAXMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Digital Television Transition and Public Safety Act of 2005 and the Communications Act of 1934 to establish a new digital television transition date, to improve the digital-to-analog converter box program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Digital Television  
5 Transition Extension Act of 2009".

1 **SEC. 2. EXTENSION OF DTV TRANSITION DEADLINE.**

2 (a) AMENDMENTS TO COMMUNICATIONS ACT OF  
3 1934.—

4 (1) SECTION 309.—Section 309(j)(14)(A) of the  
5 Communications Act of 1934 (47 U.S.C.  
6 309(j)(14)(A)) is amended by striking “February  
7 17, 2009” and inserting “June 12, 2009”.

8 (2) SECTION 337.—Section 337(e)(1) of the  
9 Communications Act of 1934 (47 U.S.C. 337(e)(1))  
10 is amended by striking “February 17, 2009” and in-  
11 sserting “June 12, 2009”.

12 (b) AMENDMENTS TO DIGITAL TELEVISION TRANSI-  
13 TION AND PUBLIC SAFETY ACT OF 2005.—

14 (1) SECTION 3002.—Section 3002(b) of the Dig-  
15 ital Television Transition and Public Safety Act of  
16 2005 is amended by striking “February 18” each  
17 place it appears and inserting “June 13”.

18 (2) SECTION 3005.—Section 3005(c)(1) of such  
19 Act is amended by striking “March 31, 2009” and  
20 inserting “July 31, 2009”.

21 (3) SECTION 3008.—Section 3008(a)(1) of such  
22 Act is amended by striking “February 17, 2009”  
23 and inserting “June 12, 2009”.

24 (c) LICENSE TERMS.—The Federal Communications  
25 Commission shall postpone the commencement and the ex-  
26 piration of the terms of the licenses for the recovered ana-

1 log spectrum, as defined in section 309(j)(15)(C)(vi) of  
2 the Communications Act of 1934, for a 116-day period.

3 **SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CON-**  
4 **VERTER BOX PROGRAM.**

5 (a) EXPIRATION OF COUPONS EXTENDED.—Section  
6 3005(c)(1)(C) of the Digital Television Transition and  
7 Public Safety Act of 2005 is amended by inserting after  
8 “shall expire 3 months after issuance” the following: “,  
9 except that any coupon that is issued after, or that re-  
10 mains unexpired and unredeemed on, the date of enact-  
11 ment of the Digital Television Transition Extension Act  
12 of 2009 shall expire on September 15, 2009”.

13 (b) TREATMENT OF EXPIRED COUPONS.—

14 (1) IN GENERAL.—Section 3005(c)(1) of the  
15 Digital Television Transition and Public Safety Act  
16 of 2005 is amended by adding at the end the fol-  
17 lowing new subparagraph:

18 “(D) EXPIRED COUPONS.—The Assistant  
19 Secretary shall issue to a household, upon re-  
20 quest by the household, one replacement coupon  
21 for each coupon that was issued to such house-  
22 hold prior to the date of enactment of the Dig-  
23 ital Television Transition Extension Act of  
24 2009 and that expired without being re-  
25 deemed.”.

1           (2) CONFORMING AMENDMENT.—Section  
2           3005(c)(1)(A) of the Digital Television Transition  
3           and Public Safety Act of 2005 is amended by strik-  
4           ing “receives” and inserting “redeems”.

5           (c) EXPEDITING DELIVERY.—

6           (1) FIRST CLASS MAIL.—Within 7 days after  
7           the date of enactment of this Act, the Assistant Sec-  
8           retary for Communications and Information of the  
9           Department of Commerce shall expedite the distribu-  
10          tion of coupons issued under section 3005 of the  
11          Digital Television Transition and Public Safety Act  
12          of 2005 by directing that, if coupons are delivered  
13          via the United States Postal Service, such coupons  
14          shall be delivered via pre-sorted first class mail serv-  
15          ice.

16          (2) CONFORMING AMENDMENT.—Section  
17          3005(c)(1)(A) of the Digital Television Transition  
18          and Public Safety Act of 2005 is further amended  
19          by striking “, via the United States Postal Service,”.

20   **SEC. 4. IMPLEMENTATION.**

21          (a) PERMISSIVE EARLY TERMINATION UNDER EX-  
22          ISTING REQUIREMENTS.—Nothing in this Act is intended  
23          to prevent a licensee of a television broadcast station  
24          from terminating the broadcasting of such station’s analog  
25          television signal (and continuing to broadcast exclusively

1 in the digital television service) prior to the date estab-  
2 lished by law under section 3002(b) of the Digital Tele-  
3 vision Transition and Public Safety Act of 2005 for termi-  
4 nation of all licenses for full-power television stations in  
5 the analog television service (as amended by section 2 of  
6 this Act) so long as such prior termination is conducted  
7 in accordance with the Federal Communications Commis-  
8 sion's requirements in effect on the date of enactment of  
9 this Act, including the flexible procedures established in  
10 the Matter of Third Periodic Review of the Commission's  
11 Rules and Policies Affecting the Conversion to Digital Tel-  
12 evision (FCC 07-228, MB Docket No. 07-91, released De-  
13 cember 31, 2007).

14 (b) EXPEDITED RULEMAKING.—Notwithstanding  
15 any other provision of law, the Federal Communications  
16 Commission and the National Telecommunications and  
17 Information Administration shall, not later than 30 days  
18 after the date of enactment of this Act, adopt or revise  
19 its rules, regulations, or orders or take such other actions  
20 as may be necessary or appropriate to implement the pro-  
21 visions, and carry out the purposes, of this Act and the  
22 amendments made by this Act.

1 **SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

2 Section 309(j)(11) of the Communications Act of  
3 1934 (47 U.S.C. 309(j)(11)) is amended by striking  
4 “2011” and inserting “2012”.

5 **SEC. 6. USE OF RECOVERED SPECTRUM DURING EX-**  
6 **TENDED TRANSITION PERIOD.**

7 (a) **COMMISSION ACTION REQUIRED.**—Notwith-  
8 standing any other provision of law, the Federal Commu-  
9 nications Commission shall, not later than February 15,  
10 2009, develop and implement a program to encourage and  
11 permit, to the extent technically feasible and subject to  
12 such limitations as the Commission finds to be consistent  
13 with the public interest and the requirements of this Act,  
14 the use by successful bidders in the 2008 auction of spec-  
15 trum between frequencies 54 and 698 megahertz, inclu-  
16 sive, for experimentation and testing purposes during the  
17 period beginning on February 18, 2009, and ending the  
18 day after the date established by law under section  
19 3002(b) of the Digital Television Transition and Public  
20 Safety Act of 2005 for termination of all licenses for full-  
21 power television stations in the analog television service  
22 and the cessation of broadcasting by full-power stations  
23 in the analog television service.

24 (b) **LIMITATIONS.**—In designing the program re-  
25 quired by subsection (a), the Commission shall—

1 (1) take into account market-by-market needs,  
2 based upon factors such as channel and transmitter  
3 availability;

4 (2) ensure that use for experimentation and  
5 testing purposes specified in subsection (a) will not  
6 cause harmful interference with signals in the digital  
7 television service;

8 (3) take into consideration broadcasters' transi-  
9 tion and coordination plans that already have been  
10 adopted; and

11 (4) prohibit any such use for experimentation  
12 or testing purposes on any spectrum that is ap-  
13 proved or pending approval by the Commission to be  
14 used for public safety radio services.

15 (c) DEFINITIONS.—For purposes of this section:

16 (1) The term “successful bidders” shall mean  
17 those entities listed in the Federal Communications  
18 Commission document Auction of 700 MHz Band  
19 Licenses Closes; Winning Bidders Announced for  
20 Auction 73, Public Notice, 23 FCC Red 4572 (WTPB  
21 2008).

22 (2) The term “experimentation and testing pur-  
23 poses” shall mean those uses described in the Fed-  
24 eral Communications Commission’s Second Report  
25 and Order, In re Serv. Rules for the 698-746, 747-

1 762 & 777-792 MHz Bands, WT Docket No. 06-  
2 150, FCC 07-132, (Aug. 10, 2007), 22 FCC Red.  
3 15289, with respect to the specific spectrum won at  
4 auction by successful bidders.

[STAFF WORKING DRAFT]

JANUARY 15, 2009

111TH CONGRESS  
1ST SESSION

S. \_\_\_\_\_

To postpone the DTV transition date.

IN THE SENATE OF THE UNITED STATES

JANUARY —, 2009

Mr. ROCKEFELLER (for himself and Mr. KERRY) introduced the following bill;  
which was read twice and referred to the Committee on

**A BILL**

To postpone the DTV transition date.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "DTV Delay Act".

5 **SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.**

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

1 (1) by striking “February 18, 2009;” in para-  
2 graph (1) and inserting “June 13, 2009;” and

3 (2) by striking “February 18, 2009,” in para-  
4 graph (2) and inserting “that date”.

5 (b) EXTENSION OF COUPON PROGRAM.—Section  
6 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amend-  
7 ed by striking “March 31, 2009,” and inserting “July 31,  
8 2009.”.

9 (c) CONFORMING AMENDMENTS.—

10 (1) Section 3008(a)(1) of that Act (47 U.S.C.  
11 309 note) is amended by striking “February 17,  
12 2009.” and inserting “June 12, 2009.”.

13 (2) Section 309(j)(14)(A) of the Communica-  
14 tions Act of 1934 (47 U.S.C. 309(j)(14)(A)) is  
15 amended by striking “February 17, 2009.” and in-  
16 serting “June 12, 2009.”.

17 (3) Section 337(e)(1) of the Communications  
18 Act of 1934 (47 U.S.C. 337(e)(1)) is amended by  
19 striking “February 17, 2009,” and inserting “June  
20 12, 2009.”.

21 (d) EMERGENCY DESIGNATION.—Each amount made  
22 available under section 3005 of the Digital Television  
23 Transition and Public Safety Act of 2005 (47 U.S.C. 309  
24 note) as a result of the amendments made by this section  
25 is designated as an emergency requirement and necessary

3

1 to meet emergency needs pursuant to section 204(a) of  
2 S. Con. Res. 21 (110th Congress) and section 301(b)(2)  
3 of S. Con. Res. 70 (110th Congress), the concurrent reso-  
4 lutions on the budget for fiscal years 2008 and 2009.

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## Cathy Seidel

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**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...

AMENDMENT NO.

CAL. NO.

[STAFF WORKING DRAFT]

January 22, 2009

Purpose: To postpone the DTV transition date.

IN THE SENATE OF THE UNITED STATES—111TH Cong., 1ST Sess.

S. ———, 111TH Congress, 1ST Session

JANUARY ———, 2009

( ) Referred to the Committee on ——— and ordered to be printed

( ) Ordered to lie on the table and to be printed

INTENDED to be proposed by Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON)

Viz: Strike out all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "DTV Delay Act".

3 SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.

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

7 (1) by striking "February 18, 2009;" in para-  
8 graph (1) and inserting "June 13, 2009;"; and

1 (2) by striking “February 18, 2009,” in para-  
2 graph (2) and inserting “that date”.

3 (b) EXTENSION OF COUPON PROGRAM.—Section  
4 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amend-  
5 ed by striking “March 31, 2009,” and inserting “July 31,  
6 2009,”.

7 (c) CONFORMING AMENDMENTS.—

8 (1) Section 3008(a)(1) of that Act (47 U.S.C.  
9 309 note) is amended by striking “February 17,  
10 2009.” and inserting “June 12, 2009.”.

11 (2) Section 309(j)(14)(A) of the Communica-  
12 tions Act of 1934 (47 U.S.C. 309(j)(14)(A)) is  
13 amended by striking “February 17, 2009.” and in-  
14 serting “June 12, 2009.”.

15 (3) Section 337(e)(1) of the Communications  
16 Act of 1934 (47 U.S.C. 337(e)(1)) is amended by  
17 striking “February 17, 2009,” and inserting “June  
18 12, 2009,”.

19 (d) LICENSE TERMS.—

20 (1) EXTENSION.—The Federal Communications  
21 Commission shall extend the terms of the licenses  
22 for the recovered spectrum, including the license pe-  
23 riod and construction requirements associated with  
24 those licenses, for a 116-day period.

1 (2) DEFINITION.—In this subsection, the term  
2 “recovered spectrum” means—

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

6 (B) the spectrum excluded from the defini-  
7 tion of recovered analog spectrum by subclauses  
8 (I) and (II) of such section.

9 **SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CON-**  
10 **VERTER BOX PROGRAM.**

11 (a) TREATMENT OF EXPIRED COUPONS.—Section  
12 3005(c)(1) of the Digital Television Transition and Public  
13 Safety Act of 2005 (47 U.S.C. 309 note) is amended by  
14 adding at the end the following:

15 “(D) EXPIRED COUPONS.—The Assistant  
16 Secretary may issue to a household, upon re-  
17 quest by the household, one replacement coupon  
18 for each coupon that was issued to such house-  
19 hold and that expired without being re-  
20 deemed.”.

21 (b) CONFORMING AMENDMENT.—Section  
22 3005(c)(1)(A) of the Digital Television Transition and  
23 Public Safety Act of 2005 (47 U.S.C. 309 note) is amend-  
24 ed by striking “receives, via the United States Postal Serv-  
25 ice,” and inserting “redeems”.

1 SEC. 4. IMPLEMENTATION.

2 (a) PERMISSIVE EARLY TERMINATION UNDER EX-  
3 ISTING REQUIREMENTS.—Nothing in this Act is intended  
4 to prevent a licensee of a television broadcast station from  
5 terminating the broadcasting of such station’s analog tele-  
6 vision signal (and continuing to broadcast exclusively in  
7 the digital television service) prior to the date established  
8 by law under section 3002(b) of the Digital Television  
9 Transition and Public Safety Act of 2005 for termination  
10 of all licenses for full-power television stations in the ana-  
11 log television service (as amended by section 2 of this Act)  
12 so long as such prior termination is conducted in accord-  
13 ance with the Federal Communications Commission’s re-  
14 quirements in effect on the date of enactment of this Act,  
15 including the flexible procedures established in the Matter  
16 of Third Periodic Review of the Commission’s Rules and  
17 Policies Affecting the Conversion to Digital Television  
18 (FCC 07–228, MB Docket No. 07–91, released December  
19 31, 2007).

20 (b) PUBLIC SAFETY RADIO SERVICES.—

21 (1) USE ON CLEARED SPECTRUM.—Notwith-  
22 standing the amendments made by section 2, if—

23 (A) a television broadcast station ceases  
24 the broadcasting of such station’s analog tele-  
25 vision service under subsection (a) of this sec-  
26 tion prior to June 12, 2009, and

1 (B) as a consequence of such cessation,  
2 spectrum between frequencies 768 and 776  
3 megahertz, inclusive, and 798 and 806 mega-  
4 hertz, inclusive, becomes available for non-tele-  
5 vision broadcast use prior to June 12, 2009,  
6 the Federal Communications Commission shall  
7 permit the use of such spectrum for authorized  
8 public safety radio services if the Commission  
9 determines that such use is in the public inter-  
10 est and does not cause harmful interference to  
11 full-power television stations in the analog or  
12 digital television service.

13 (2) EXPEDITED PROCEDURES.—The Federal  
14 Communications Commission may use expedited pro-  
15 cedures, and may waive such rules as may be nec-  
16 cessary, to make a determination on an application  
17 made under paragraph (1) to begin such use of such  
18 spectrum by a public safety agency (as such term is  
19 defined in section 3006(d)(1) of the Digital Tele-  
20 vision Transition and Public Safety Act of 2005) in  
21 not less than 2 weeks after the date of submission  
22 of such application.

23 (c) EXPEDITED RULEMAKING.—Notwithstanding  
24 any other provision of law, the Federal Communications  
25 Commission and the National Telecommunications Infor-

1 mation Administration shall, not later than 30 days after  
2 the date of enactment of this Act, each adopt or revise  
3 its rules, regulations, or orders or take such other actions  
4 as may be necessary or appropriate to implement the pro-  
5 visions, and carry out the purposes, of this Act and the  
6 amendments made by this Act.

7 **SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

8 Section 309(j)(11) of the Communications Act of  
9 1934 (47 U.S.C. 309(j)(11)) is amended by striking  
10 "2011." and inserting "2012."

11 **SEC. 6. EMERGENCY DESIGNATION.**

12 Each amount made available under section 3005 of  
13 the Digital Television Transition and Public Safety Act  
14 of 2005 (47 U.S.C. 309 note) as a result of the amend-  
15 ments made by this Act is designated as an emergency  
16 requirement and necessary to meet emergency needs pur-  
17 suant to section 204(a) of S. Con. Res. 21 (110th Con-  
18 gress) and section 301(b)(2) of S. Con. Res. 70 (110th  
19 Congress), the concurrent resolutions on the budget for  
20 fiscal years 2008 and 2009.

## Cathy Seidel

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**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...

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**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 >>

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**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 >>

## Cathy Seidel

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**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 ...



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

AMENDMENT NO.

CAL. NO.

[STAFF WORKING DRAFT]

January 22, 2009

Purpose: To postpone the DTV transition date.

IN THE SENATE OF THE UNITED STATES—111TH Cong., 1ST Sess.

S. \_\_\_\_\_, 111TH Congress, 1ST Session

JANUARY \_\_\_\_\_, 2009

( ) Referred to the Committee on \_\_\_\_\_ and ordered to be printed

( ) Ordered to lie on the table and to be printed

INTENDED to be proposed by Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON)

Viz: Strike out all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "DTV Delay Act".

3 SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.

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

7 (1) by striking "February 18, 2009;" in para-  
8 graph (1) and inserting "June 13, 2009;"; and

1 (2) by striking “February 18, 2009,” in para-  
2 graph (2) and inserting “that date”.

3 (b) EXTENSION OF COUPON PROGRAM.—Section  
4 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amend-  
5 ed by striking “March 31, 2009,” and inserting “July 31,  
6 2009.”.

7 (c) CONFORMING AMENDMENTS.—

8 (1) Section 3008(a)(1) of that Act (47 U.S.C.  
9 309 note) is amended by striking “February 17,  
10 2009.” and inserting “June 12, 2009.”.

11 (2) Section 309(j)(14)(A) of the Communica-  
12 tions Act of 1934 (47 U.S.C. 309(j)(14)(A)) is  
13 amended by striking “February 17, 2009.” and in-  
14 serting “June 12, 2009.”.

15 (3) Section 337(e)(1) of the Communications  
16 Act of 1934 (47 U.S.C. 337(e)(1)) is amended by  
17 striking “February 17, 2009,” and inserting “June  
18 12, 2009.”.

19 (d) LICENSE TERMS.—

20 (1) EXTENSION.—The Federal Communications  
21 Commission shall extend the terms of the licenses  
22 for the recovered spectrum, including the license pe-  
23 riod and construction requirements associated with  
24 those licenses, for a 116-day period.

1           (2) DEFINITION.—In this subsection, the term  
2           “recovered spectrum” means—

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

6                   (B) the spectrum excluded from the defini-  
7           tion of recovered analog spectrum by subclauses  
8           (I) and (II) of such section.

9   **SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CON-**  
10                   **VERTER BOX PROGRAM.**

11           (a) TREATMENT OF EXPIRED COUPONS.—Section  
12   3005(c)(1) of the Digital Television Transition and Public  
13   Safety Act of 2005 (47 U.S.C. 309 note) is amended by  
14   adding at the end the following:

15                   “(D) EXPIRED COUPONS.—The Assistant  
16           Secretary may issue to a household, upon re-  
17           quest by the household, one replacement coupon  
18           for each coupon that was issued to such house-  
19           hold and that expired without being re-  
20           deemed.”.

21           (b) CONFORMING AMENDMENT.—Section  
22   3005(c)(1)(A) of the Digital Television Transition and  
23   Public Safety Act of 2005 (47 U.S.C. 309 note) is amend-  
24   ed by striking “receives, via the United States Postal Serv-  
25   ice,” and inserting “redeems”.

1 SEC. 4. IMPLEMENTATION.

2 (a) PERMISSIVE EARLY TERMINATION UNDER EX-  
3 ISTING REQUIREMENTS.—Nothing in this Act is intended  
4 to prevent a licensee of a television broadcast station from  
5 terminating the broadcasting of such station's analog tele-  
6 vision signal (and continuing to broadcast exclusively in  
7 the digital television service) prior to the date established  
8 by law under section 3002(b) of the Digital Television  
9 Transition and Public Safety Act of 2005 for termination  
10 of all licenses for full-power television stations in the ana-  
11 log television service (as amended by section 2 of this Act)  
12 so long as such prior termination is conducted in accord-  
13 ance with the Federal Communications Commission's re-  
14 quirements in effect on the date of enactment of this Act,  
15 including the flexible procedures established in the Matter  
16 of Third Periodic Review of the Commission's Rules and  
17 Policies Affecting the Conversion to Digital Television  
18 (FCC 07-228, MB Docket No. 07-91, released December  
19 31, 2007).

20 (b) PUBLIC SAFETY RADIO SERVICES.—

21 (1) USE ON CLEARED SPECTRUM.—Notwith-  
22 standing the amendments made by section 2, if—

23 (A) a television broadcast station ceases  
24 the broadcasting of such station's analog tele-  
25 vision service under subsection (a) of this sec-  
26 tion prior to June 12, 2009, and

1 (B) as a consequence of such cessation,  
2 spectrum between frequencies 768 and 776  
3 megahertz, inclusive, and 798 and 806 mega-  
4 hertz, inclusive, becomes available for non-tele-  
5 vision broadcast use prior to June 12, 2009,  
6 the Federal Communications Commission shall  
7 permit the use of such spectrum for authorized  
8 public safety radio services if the Commission  
9 determines that such use is in the public inter-  
10 est and does not cause harmful interference to  
11 full-power television stations in the analog or  
12 digital television service.

13 (2) EXPEDITED PROCEDURES.—The Federal  
14 Communications Commission may use expedited pro-  
15 cedures, and may waive such rules as may be nec-  
16 essary, to make a determination on an application  
17 made under paragraph (1) to begin such use of such  
18 spectrum by a public safety agency (as such term is  
19 defined in section 3006(d)(1) of the Digital Tele-  
20 vision Transition and Public Safety Act of 2005) in  
21 not less than 2 weeks after the date of submission  
22 of such application.

23 (c) EXPEDITED RULEMAKING.—Notwithstanding  
24 any other provision of law, the Federal Communications  
25 Commission and the National Telecommunications Infor-

1 mation Administration shall, not later than 30 days after  
2 the date of enactment of this Act, each adopt or revise  
3 its rules, regulations, or orders or take such other actions  
4 as may be necessary or appropriate to implement the pro-  
5 visions, and carry out the purposes, of this Act and the  
6 amendments made by this Act.

7 **SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

8 Section 309(j)(11) of the Communications Act of  
9 1934 (47 U.S.C. 309(j)(11)) is amended by striking  
10 “2011.” and inserting “2012.”.

11 **SEC. 6. EMERGENCY DESIGNATION.**

12 Each amount made available under section 3005 of  
13 the Digital Television Transition and Public Safety Act  
14 of 2005 (47 U.S.C. 309 note) as a result of the amend-  
15 ments made by this Act is designated as an emergency  
16 requirement and necessary to meet emergency needs pur-  
17 suant to section 204(a) of S. Con. Res. 21 (110th Con-  
18 gress) and section 301(b)(2) of S. Con. Res. 70 (110th  
19 Congress), the concurrent resolutions on the budget for  
20 fiscal years 2008 and 2009.

○

68

111TH CONGRESS  
1ST SESSION

**S.**

To enable the Assistant Secretary for Communications and Information of the Department of Commerce to resume timely processing and distribution of TV converter box coupons by increasing its fiscal authority to make payments, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

Mr. GREGG introduced the following bill; which was read twice and referred to the Committee on

---

**A BILL**

To enable the Assistant Secretary for Communications and Information of the Department of Commerce to resume timely processing and distribution of TV converter box coupons by increasing its fiscal authority to make payments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "TV Converter Box  
5 Coupon Program Relief Act".

1 **SEC. 2. ADDITIONAL AUTHORITY OF NTIA TO ISSUE TV**  
2 **CONVERTER BOX COUPONS.**

3 Section 3005 of the Digital Television Transition and  
4 Public Safety Act of 2005 (Public Law 109-171; 120 Stat.  
5 23) is amended by adding at the end the following:

6 “(c) **AUTHORITY TO ACCESS ADDITIONAL AMOUNTS**  
7 **FROM DIGITAL TELEVISION TRANSITION AND PUBLIC**  
8 **SAFETY FUND.**—Notwithstanding any other provision of  
9 law and in addition to any amounts permitted to be used  
10 by this section prior to the date of enactment of the TV  
11 Converter Box Coupon Program Relief Act, the Assistant  
12 Secretary may make payments of not to exceed  
13 \$250,000,000 from the Digital Television Transition and  
14 Public Safety Fund—

15 “(1) to continue to carry out the digital-to-ana-  
16 log converter box coupon program established under  
17 this section; and

18 “(2) to cover administrative expenses of the  
19 program.”.

[DISCUSSION DRAFT]

111TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Digital Television Transition and Public Safety Act of 2005 and the Communications Act of 1934 to establish a new digital television transition date, to improve the digital-to-analog converter box program, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

Mr. WAXMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Digital Television Transition and Public Safety Act of 2005 and the Communications Act of 1934 to establish a new digital television transition date, to improve the digital-to-analog converter box program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Digital Television  
5 Transition Extension Act of 2009".

1 **SEC. 2. EXTENSION OF DTV TRANSITION DEADLINE.**

2 (a) AMENDMENTS TO COMMUNICATIONS ACT OF  
3 1934.—

4 (1) SECTION 309.—Section 309(j)(14)(A) of the  
5 Communications Act of 1934 (47 U.S.C.  
6 309(j)(14)(A)) is amended by striking “February  
7 17, 2009” and inserting “June 12, 2009”.

8 (2) SECTION 337.—Section 337(e)(1) of the  
9 Communications Act of 1934 (47 U.S.C. 337(e)(1))  
10 is amended by striking “February 17, 2009” and in-  
11 serting “June 12, 2009”.

12 (b) AMENDMENTS TO DIGITAL TELEVISION TRANSI-  
13 TION AND PUBLIC SAFETY ACT OF 2005.—

14 (1) SECTION 3002.—Section 3002(b) of the Dig-  
15 ital Television Transition and Public Safety Act of  
16 2005 is amended by striking “February 18” each  
17 place it appears and inserting “June 13”.

18 (2) SECTION 3005.—Section 3005(c)(1) of such  
19 Act is amended by striking “March 31, 2009” and  
20 inserting “July 31, 2009”.

21 (3) SECTION 3008.—Section 3008(a)(1) of such  
22 Act is amended by striking “February 17, 2009”  
23 and inserting “June 12, 2009”.

24 (c) LICENSE TERMS.—The Federal Communications  
25 Commission shall postpone the commencement and the ex-  
26 piration of the terms of the licenses for the recovered ana-

1 log spectrum, as defined in section 309(j)(15)(C)(vi) of  
2 the Communications Act of 1934, for a 116-day period.

3 **SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CON-**  
4 **VERTER BOX PROGRAM.**

5 (a) EXPIRATION OF COUPONS EXTENDED.—Section  
6 3005(c)(1)(C) of the Digital Television Transition and  
7 Public Safety Act of 2005 is amended by inserting after  
8 “shall expire 3 months after issuance” the following: “,  
9 except that any coupon that is issued after, or that re-  
10 mains unexpired and unredeemed on, the date of enact-  
11 ment of the Digital Television Transition Extension Act  
12 of 2009 shall expire on September 15, 2009”.

13 (b) TREATMENT OF EXPIRED COUPONS.—

14 (1) IN GENERAL.—Section 3005(c)(1) of the  
15 Digital Television Transition and Public Safety Act  
16 of 2005 is amended by adding at the end the fol-  
17 lowing new subparagraph:

18 “(D) EXPIRED COUPONS.—The Assistant  
19 Secretary shall issue to a household, upon re-  
20 quest by the household, one replacement coupon  
21 for each coupon that was issued to such house-  
22 hold prior to the date of enactment of the Dig-  
23 ital Television Transition Extension Act of  
24 2009 and that expired without being re-  
25 deemed.”.

1           (2) CONFORMING AMENDMENT.—Section  
2       3005(c)(1)(A) of the Digital Television Transition  
3       and Public Safety Act of 2005 is amended by strik-  
4       ing “receives” and inserting “redeems”.

5       (c) EXPEDITING DELIVERY.—

6           (1) FIRST CLASS MAIL.—Within 7 days after  
7       the date of enactment of this Act, the Assistant Sec-  
8       retary for Communications and Information of the  
9       Department of Commerce shall expedite the distribu-  
10      tion of coupons issued under section 3005 of the  
11      Digital Television Transition and Public Safety Act  
12      of 2005 by directing that, if coupons are delivered  
13      via the United States Postal Service, such coupons  
14      shall be delivered via pre-sorted first class mail serv-  
15      ice.

16          (2) CONFORMING AMENDMENT.—Section  
17      3005(c)(1)(A) of the Digital Television Transition  
18      and Public Safety Act of 2005 is further amended  
19      by striking “, via the United States Postal Service,”.

20   **SEC. 4. IMPLEMENTATION.**

21          (a) PERMISSIVE EARLY TERMINATION UNDER EX-  
22      ISTING REQUIREMENTS.—Nothing in this Act is intended  
23      to prevent a licensee of a television broadcast station  
24      from terminating the broadcasting of such station’s analog  
25      television signal (and continuing to broadcast exclusively

1 in the digital television service) prior to the date estab-  
2 lished by law under section 3002(b) of the Digital Tele-  
3 vision Transition and Public Safety Act of 2005 for termi-  
4 nation of all licenses for full-power television stations in  
5 the analog television service (as amended by section 2 of  
6 this Act) so long as such prior termination is conducted  
7 in accordance with the Federal Communications Commis-  
8 sion's requirements in effect on the date of enactment of  
9 this Act, including the flexible procedures established in  
10 the Matter of Third Periodic Review of the Commission's  
11 Rules and Policies Affecting the Conversion to Digital Tel-  
12 evision (FCC 07-228, MB Docket No. 07-91, released De-  
13 cember 31, 2007).

14 (b) EXPEDITED RULEMAKING.—Notwithstanding  
15 any other provision of law, the Federal Communications  
16 Commission and the National Telecommunications and  
17 Information Administration shall, not later than 30 days  
18 after the date of enactment of this Act, adopt or revise  
19 its rules, regulations, or orders or take such other actions  
20 as may be necessary or appropriate to implement the pro-  
21 visions, and carry out the purposes, of this Act and the  
22 amendments made by this Act.

1 **SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

2 Section 309(j)(11) of the Communications Act of  
3 1934 (47 U.S.C. 309(j)(11)) is amended by striking  
4 “2011” and inserting “2012”.

5 **SEC. 6. USE OF RECOVERED SPECTRUM DURING EX-**  
6 **TENDED TRANSITION PERIOD.**

7 (a) **COMMISSION ACTION REQUIRED.**—Notwith-  
8 standing any other provision of law, the Federal Commu-  
9 nications Commission shall, not later than February 15,  
10 2009, develop and implement a program to encourage and  
11 permit, to the extent technically feasible and subject to  
12 such limitations as the Commission finds to be consistent  
13 with the public interest and the requirements of this Act,  
14 the use by successful bidders in the 2008 auction of spec-  
15 trum between frequencies 54 and 698 megahertz, inclu-  
16 sive, for experimentation and testing purposes during the  
17 period beginning on February 18, 2009, and ending the  
18 day after the date established by law under section  
19 3002(b) of the Digital Television Transition and Public  
20 Safety Act of 2005 for termination of all licenses for full-  
21 power television stations in the analog television service  
22 and the cessation of broadcasting by full-power stations  
23 in the analog television service.

24 (b) **LIMITATIONS.**—In designing the program re-  
25 quired by subsection (a), the Commission shall—

1           (1) take into account market-by-market needs,  
2 based upon factors such as channel and transmitter  
3 availability;

4           (2) ensure that use for experimentation and  
5 testing purposes specified in subsection (a) will not  
6 cause harmful interference with signals in the digital  
7 television service;

8           (3) take into consideration broadcasters' transi-  
9 tion and coordination plans that already have been  
10 adopted; and

11           (4) prohibit any such use for experimentation  
12 or testing purposes on any spectrum that is ap-  
13 proved or pending approval by the Commission to be  
14 used for public safety radio services.

15 (c) DEFINITIONS.—For purposes of this section:

16           (1) The term “successful bidders” shall mean  
17 those entities listed in the Federal Communications  
18 Commission document Auction of 700 MHz Band  
19 Licenses Closes; Winning Bidders Announced for  
20 Auction 73, Public Notice, 23 FCC Red 4572 (WTB  
21 2008).

22           (2) The term “experimentation and testing pur-  
23 poses” shall mean those uses described in the Fed-  
24 eral Communications Commission’s Second Report  
25 and Order, In re Serv. Rules for the 698-746, 747-

1 762 & 777-792 MHz Bands, WT Docket No. 06-  
2 150, FCC 07-132, (Aug. 10, 2007), 22 FCC Red.  
3 15289, with respect to the specific spectrum won at  
4 auction by successful bidders.

## Cathy Seidel

---

**From:** Lori Maarbjerg  
**Sent:** Monday, January 26, 2009 8:18 AM  
**To:** Rick Chessen; 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  
**Subject:** Re: DTV Delay: Question from Sen. Byrd

I don't have a specific timing from Sen. Byrd's staff, but the Senate comes back in session today at 2 PM, and I am assuming that they will try to bring up the DTV bill again as soon as they can. It would be great if we could have a response no later than Noon today for Rick. The primary focus should be on any contractual obligations the FCC has to the 700 MHz bidders, with the next focus on any other general impact to 700 MHz bidders and other industry (CBO request). Please let me know if you have any concerns or questions. Thanks!

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

**From:** Rick Chessen  
**To:** Lori Maarbjerg; 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  
**Sent:** Fri Jan 23 21:08:50 2009  
**Subject:** Re: DTV Delay: Question from Sen. Byrd

Lori - can you work with appropriate staff to put together draft answers? What is timing?

-----  
Sent from my BlackBerry Wireless Handheld

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

**From:** Lori Maarbjerg  
**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  
**Sent:** Fri Jan 23 09:45:02 2009  
**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

## Cathy Seidel

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**From:** Cathy Seidel  
**Sent:** Tuesday, January 27, 2009 5:43 PM  
**To:** Roger Goldblatt  
**Subject:** FW: House Action on DTV Delay Bill

**Importance:** High

**Attachments:** S328\_SUS\_xml.pdf

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**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

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S328\_SUS\_xml.pdf  
(40 KB)

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**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 >>

## Cathy Seidel

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**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 12:57 PM  
**To:** Kris Monteith  
**Subject:** RE: House Action on DTV Delay Bill

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**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 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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**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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## Cathy Seidel

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**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 12:58 PM  
**To:** Roger Goldblatt  
**Subject:** RE: House Action on DTV Delay Bill

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**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  
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## Cathy Seidel

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**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 12:58 PM  
**To:** D'Wana Terry; Thomas Wyatt; Pam Slipakoff  
**Subject:** RE: House Action on DTV Delay Bill

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**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  
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**FCC Additional Expenditures Based on an Extension of the DTV Transition  
Deadline to June 12<sup>th</sup>, 2009**

- Call Center - \$15,000,000
- Publications – \$651,000
- Travel and Associated Costs - \$2,800,000 (700,000 per month x 4 months)
- Advertising – \$6,000,000
- Translations - \$200,000
- Nationwide help centers and in-home assistance – \$44,000,000 (Estimate based on 2,000,000 total visits at \$20 per visit, plus administrative and reporting costs)
- Website expansion - \$200,000

**Total Estimated Cost: \$68,851,000**

## Cathy Seidel

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**From:** Cathy Seidel  
**Sent:** Friday, January 30, 2009 1:06 PM  
**To:** D'Wana Terry; Pam Slipakoff; Thomas Wyatt  
**Subject:** FW: \$650 million memo

**Attachments:** DTV Budget extention June 12 2009.doc

fyi

---

**From:** Christopher Lewis  
**Sent:** Friday, January 30, 2009 12:26 PM  
**To:** Lori Maarbjerg; Rick Chessen  
**Cc:** Louis Sigalos; Gary Epstein; Cathy Seidel  
**Subject:** RE: \$650 million memo

Here's what we suggested from the FCC side, but it does not cover the full \$650 million. Rick do you have that?



DTV Budget  
xtention June 12 2..

---

**From:** Lori Maarbjerg  
**Sent:** Friday, January 30, 2009 12:13 PM  
**To:** Rick Chessen; Christopher Lewis  
**Cc:** Louis Sigalos; Gary Epstein; Cathy Seidel  
**Subject:** RE: \$650 million memo

What is the status of this? Was a memo produced? If so, can I have a copy? Please let me know what needs to be done from a Hill perspective on this issue.

---

**From:** Rick Chessen  
**Sent:** Thursday, January 29, 2009 11:36 AM  
**To:** Jill Pender; Christopher Lewis  
**Cc:** Lori Maarbjerg; Louis Sigalos; Gary Epstein; Cathy Seidel  
**Subject:** \$650 million memo

This is top priority:

We need to finish the memo on what the FCC would do with additional stimulus money asap. Assume two ways - date stays Feb 17 and date moves to June 12. Need to merge Louis memo with Chris memo.

Need this asap. Let me know if you can get me this by 1 pm.

## Cathy Seidel

---

**From:** Cathy Seidel  
**Sent:** Monday, February 02, 2009 1:27 PM  
**To:** Gary Epstein  
**Subject:** RE: DTV steering committee meeting

We can just meet at 2 in the 12th Street Lobby.  
See you then.

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

**From:** Gary Epstein  
**Sent:** Monday, February 02, 2009 1:24 PM  
**To:** Cathy Seidel; Rick Chessen; Rudy Brioche; Rosemary Harold  
**Cc:** Pam Slipakoff; Louis Sigalos  
**Subject:** RE: DTV steering committee meeting

I'd like to hear what they have to say and can join you. Will it take more than an hour?

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

**From:** Cathy Seidel  
**Sent:** Monday, February 02, 2009 1:19 PM  
**To:** Rick Chessen; Gary Epstein; Rudy Brioche; Rosemary Harold  
**Cc:** Pam Slipakoff; Louis Sigalos  
**Subject:** RE: DTV steering committee meeting

Will do.

My guess is that it was called to discuss our respective strategies for priorities in the next few weeks assuming or not assuming a delay.

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

**From:** Rick Chessen  
**Sent:** Monday, February 02, 2009 1:17 PM  
**To:** Cathy Seidel; Gary Epstein; Rudy Brioche; Rosemary Harold  
**Cc:** Pam Slipakoff; Louis Sigalos  
**Subject:** Re: DTV steering committee meeting

I can't go, please let me know what happens. Any idea why it was called?

-----  
Sent from my BlackBerry Wireless Handheld

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

**From:** Cathy Seidel  
**To:** Gary Epstein; Rick Chessen; Rudy Brioche; Rosemary Harold  
**Cc:** Pam Slipakoff; Louis Sigalos  
**Sent:** Mon Feb 02 13:10:50 2009  
**Subject:** RE: DTV steering committee meeting

Checking to see whether any of you will be attending the DTV Coalition Meeting at NAB. This was not scheduled until this morning. These meetings are usually pretty helpful and a good, fast way to hear more about what other key stakeholders are doing, thinking, planning to do. CEA, CERC, NAB, and other stakeholders like AARP and LCCR all sit on the steering committee.

I recommend that one of you join me if you can.

If not, I'll take notes and pass along highlights when I return.

Just let me know.

We have a car reserved for 2 p.m. Let me know whether we should wait for you.

Cathy

---

From: Collegio, Jonathan [mailto:JCollegio@nab.org]  
Sent: Monday, February 02, 2009 10:26 AM  
To: awilhelm@ntia.doc.gov; Anita Wallgren; Cathy Seidel; Monica Desai; Pam Slipakoff  
Subject: DTV steering committee meeting

Given all the recent activity, we have an in-person meeting of the DTV steering committee scheduled for this afternoon.

NTIA and the FCC are invited to attend starting at 2:15pm.

Please let me know if you or someone from your staff plans to attend. Thanks.

Jonathan Collegio  
Vice President, Digital Television Transition

National Association of Broadcasters  
1771 N Street NW  
Washington DC 20036  
Phone 202 429 5386

Mobile 202 390 4243  
Fax 202 429 4199

[www.nab.org](http://www.nab.org) <<http://www.nab.org>>

[www.dtvanswers.com](http://www.dtvanswers.com) <<http://www.dtvanswers.com>>

Advocacy Education Innovation

The NAB Show lLas Vegas l April 18-23, 2009

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:47 AM  
**To:** Arthur Scrutchins  
**Cc:** Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

Arthur: I presume email attached is responsive to the DTV Delay FOIA. Thomas, if you have any more of these, please send directly to Arthur, who is collecting all documents for delivery to OGC. Thanks.

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:41 AM  
**To:** Julie Saulnier  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

---

**From:** Rosemary Kimball  
**Sent:** Wednesday, February 11, 2009 5:09 PM  
**To:** Roger Goldblatt; Michael Jacobs; Nicole McGinnis; Cathy Seidel; Pam Slipakoff; D'Wana Terry; Patrick Webre; Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill

FYI

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

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**From:** Broadcasting and Cable Magazine [mailto:BroadcastingandCable@email.BroadcastingCable.com]  
**Sent:** Wednesday, February 11, 2009 5:08 PM  
**To:** Rosemary Kimball  
**Subject:** Breaking News: Obama Signs DTV-Delay Bill

---



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February 11, 2009

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## Obama Signs DTV-Delay Bill

President Barack Obama has signed the bill extending the DTV date from Feb. 17 to June 12. His transition team had called for the date to be moved, and the bill was passed a week ago. But the president had pledged to put bills out for a five-day public comment period, which he did with the DTV bill.

3/11/2009

1

For More...

---

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## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:49 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: Delay Public Notice is now on the FCC Website (Response to FOIA)

Same as previous. Several more to follow.

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:41 AM  
**To:** Julie Saulnier  
**Subject:** FW: Delay Public Notice is now on the FCC Website (Response to FOIA)

---

**From:** Mark Wigfield  
**Sent:** Thursday, February 05, 2009 2:01 PM  
**To:** Jessica Przybyla; DTV-Regional Sup  
**Cc:** Edie Herman; Rosemary Kimball  
**Subject:** RE: Delay Public Notice is now on the FCC Website

We plan to provide some bullet points -- the PN came out before we got a press release together. The bullet points will probably be distributed later this afternoon.

---

**From:** Jessica Przybyla  
**Sent:** Thursday, February 05, 2009 1:54 PM  
**To:** DTV-Regional Sup  
**Cc:** Mark Wigfield; Edie Herman; Rosemary Kimball  
**Subject:** Delay Public Notice is now on the FCC Website

Copy attached for your reference as well.

[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-09-6A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.doc)

<< File: FCC09-6.doc >>

## Arthur Scrutchins

---

**From:** Thomas Wyatt  
**Sent:** Wednesday, March 11, 2009 10:54 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: DTV Bill - Senate (Response to FOIA) (Last One!)

---

**From:** Thomas Wyatt  
**Sent:** Wednesday, March 11, 2009 10:47 AM  
**To:** Julie Saulnier  
**Subject:** FW: DTV Bill - Senate (Response to FOIA) (Last One!)

---

**From:** Thomas Wyatt  
**Sent:** Friday, January 23, 2009 2:40 PM  
**To:** Pam Slipakoff  
**Subject:** RE: DTV Bill - Senate

Thanks!

---

**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 2:38 PM  
**To:** Thomas Wyatt  
**Subject:** FW: DTV Bill - Senate

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser: [www.DTV.gov](http://www.DTV.gov)

---

**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 12:32 PM  
**To:** Louis Sigalos  
**Subject:** FW: DTV Bill - Senate

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser: [www.DTV.gov](http://www.DTV.gov)

---

**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 >>

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**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 >>

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:55 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: Delay Public Notice is now on the FCC Website (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:42 AM  
**To:** Julie Saulnier  
**Subject:** FW: Delay Public Notice is now on the FCC Website (Response to FOIA)

---

**From:** Mark Wigfield  
**Sent:** Thursday, February 05, 2009 2:01 PM  
**To:** Jessica Przybyla; DTV-Regional Sup  
**Cc:** Edie Herman; Rosemary Kimball  
**Subject:** RE: Delay Public Notice is now on the FCC Website

We plan to provide some bullet points -- the PN came out before we got a press release together. The bullet points will probably be distributed later this afternoon.

---

**From:** Jessica Przybyla  
**Sent:** Thursday, February 05, 2009 1:54 PM  
**To:** DTV-Regional Sup  
**Cc:** Mark Wigfield; Edie Herman; Rosemary Kimball  
**Subject:** Delay Public Notice is now on the FCC Website

Copy attached for your reference as well.

[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-09-6A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.doc)

<< File: FCC09-6.doc >>

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:56 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: General extension talking points (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:42 AM  
**To:** Julie Saulnier  
**Subject:** FW: General extension talking points (Response to FOIA)

---

**From:** Cathy Seidel  
**Sent:** Wednesday, February 04, 2009 5:58 PM  
**To:** Louis Sigalos; Patrick Webre; Roger Goldblatt; Jeffrey Tignor; D'Wana Terry  
**Cc:** Pam Slipakoff; Thomas Wyatt  
**Subject:** RE: General extension talking points

Adding D'wana and Jeff for the CAMs info/use as well.

---

**From:** Mark Wigfield  
**Sent:** Wednesday, February 04, 2009 1:45 PM  
**To:** Gary Epstein; Rudy Brioché; Rosemary Harold; Rick Chessen  
**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine; Jessica Przybyla; Rosemary Kimball; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman  
**Subject:** RE: General extension talking points  
**Importance:** High

Gary, Rudy, Rosemary, Rick, attached and pasted below are general talking points for use by media reps, outreach people in the field who encounter press, and call center people in response to "what now" questions from the press and public in the event Congress passes the extension today. We would like to distribute these to the field today so we can provide a consistent message.

This is SEPARATE from any statements the Chairman or Commissioners might make. We will have additional TP on the "what-does-the-FCC-do next" question and perhaps more.

Thanks,

Mark

Talking Points on Extension

Despite the delay of the DTV transition to June 12, you should act now to make the transition. Here's why:

1. Even though the deadline has been pushed back, your local broadcasters may make the transition before then. So get ready now. Broadcasters must notify the public before shutting off their analog channels. Watch for announcements on the air or contact them directly.
2. Digital television is available now, so enjoy the benefits now by converting now. Benefits include more channels, better quality picture and sound, menu guides and more.
3. Run the "scan" function on your converter box or digital TV frequently to make sure you pick up any stations that change their broadcast channel, either when they make the transition early or after June 12.
4. Yes, there is a waiting list for converter box coupons. If your local broadcasters are converting soon, and you haven't applied for a coupon for your analog TV, make sure one TV is ready. To do this you may buy a box without a coupon, or subscribe to cable or satellite. Remember to apply for coupons to purchase boxes for your additional TVs.
5. Congress may provide more money for converter box coupons in the pending stimulus bill and end the waiting list.
6. By applying now, you'll have time to get coupons, install converter boxes, and check to see if your antenna works before June 12.
7. Analog is going away. So don't wait. Switch now!

---

**From:** Jessica Przybyla  
**Sent:** Wednesday, February 04, 2009 1:34 PM  
**To:** Mark Wigfield; Rosemary Kimball; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman  
**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine  
**Subject:** RE: General extension talking points

Looks good.

---

**From:** Mark Wigfield  
**Sent:** Wednesday, February 04, 2009 1:33 PM  
**To:** Jessica Przybyla; Rosemary Kimball; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman  
**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine  
**Subject:** RE: General extension talking points

How about this language then as a substitute:

Run the "scan" function on your converter box or digital TV frequently to make sure you pick up any stations that change their broadcast channel, either when they make the transition early or after June 12.

---

**From:** Jessica Przybyla  
**Sent:** Wednesday, February 04, 2009 1:31 PM  
**To:** Mark Wigfield; Rosemary Kimball; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman  
**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine

**Subject:** RE: General extension talking points

Actually, the difference is that if you are picking up NBC on channel 2 now with your box the station is already digital. But if after Feb 17 you will get them on Channel 16 then you need to rescan. The way it was phrased implies the station isn't already digital so I thought it was confusing. I think we should leave any mention of June 12 out since many stations may choose to transition at a different date.

**From:** Mark Wigfield

**Sent:** Wednesday, February 04, 2009 1:22 PM

**To:** Jessica Przybyla; Rosemary Kimball; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman

**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine

**Subject:** RE: General extension talking points

**Importance:** High

Jessica, on point 3, scanning, isn't the point that you need to scan constantly now because some stations may convert early? So saying "after the transition" would blur that point. How about change it to "drop their analog channels and go digital before June 12. You should also rescan after June 12."

Please correct me if I'm wrong on this, but my understanding from Eloise Gore is that scanning is a BIG DEAL in the world of possible early transitions.

Looking for input from any of the experts on this one so I can send this upstairs ASAP

**From:** Jessica Przybyla

**Sent:** Wednesday, February 04, 2009 1:03 PM

**To:** Rosemary Kimball; Mark Wigfield; Louis Sigalos; Patrick Webre; Cathy Seidel; Edie Herman

**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine

**Subject:** RE: General extension talking points

my suggestions in track changes.

**From:** Rosemary Kimball

**Sent:** Wednesday, February 04, 2009 12:58 PM

**To:** Mark Wigfield; Louis Sigalos; Patrick Webre; Jessica Przybyla; Cathy Seidel; Edie Herman

**Cc:** Bruce Romano; Robert Kenny; Janice Wise; David Fiske; Matthew Nodine

**Subject:** RE: General extension talking points

I have some suggestions for these TPs. I took out the language about your only recourse since it seems kind of intimidating and combined a couple of points.

4. Yes, there is a waiting list for converter box coupons. If your local broadcasters are converting soon, and you don't have a coupon, you can buy a converter box without using a coupon.

5. Congress may provide more money for converters in the pending stimulus bill and end the waiting list. If that is the case, by applying now, you'll have time to get coupons, install converter boxes, and check to see if your antenna works before June 12.

6.. Analog is going away. So don't wait. Switch now!

9

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**From:** Mark Wigfield

**Sent:** Wednesday, February 04, 2009 12:46 PM

**To:** Louis Sigalos; Patrick Webre; Jessica Przybyla; Cathy Seidel; Edie Herman

**Cc:** Bruce Romano; Robert Kenny; Rosemary Kimball; Janice Wise; David Fiske; Matthew Nodine

**Subject:** General extension talking points

Attached and pasted below is an updated version of the talking points that anyone talking to the media could use regarding the DTV extension. Call center folks could also use. This reflects discussion we had last week, with some modifications.

Please review soon since vote is today and I need to send to 8th floor soon.

Separate set coming regarding how FCC will use the extra time

#### Talking Points on Extension

Despite the delay of the DTV transition to June 12, you should act now to make the transition. Here's why:

1. Even though the deadline has been pushed back, your local broadcasters may make the transition before then. So get ready now. Broadcasters must notify the public before shutting off their analog channels. Watch for announcements on the air or contact them directly.
2. Digital television is available now, so enjoy the benefits now by converting now. Benefits include more channels, high-definition broadcasts, surround sound, menu guides and more.
3. Run the "scan" function on your converter box or digital television frequently to make sure you can pick up any stations that convert early.
4. Yes, there is a waiting list for converter box coupons. If your local broadcasters are converting soon, and you haven't applied for a coupon for your analog TV, your only recourse is to buy a box. Apply for coupons for your backup TV
5. Congress may provide more money for converters in the pending stimulus bill and end the waiting list.
6. By applying now, you'll have time to get coupons, install converter boxes, and check to see if your antenna works before June 12.
7. Analog is going away. So don't wait. Switch now!

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:57 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: TP -- how FCC will use delay to help consumers (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:44 AM  
**To:** Julie Saulnier  
**Subject:** FW: TP -- how FCC will use delay to help consumers (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wednesday, February 04, 2009 3:03 PM  
**To:** Pam Slipakoff  
**Subject:** RE: TP -- how FCC will use delay to help consumers

Thanks!

---

**From:** Pam Slipakoff  
**Sent:** Wednesday, February 04, 2009 3:01 PM  
**To:** Thomas Wyatt  
**Subject:** FW: TP -- how FCC will use delay to help consumers  
**Importance:** High

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser: [www.DTV.gov](http://www.DTV.gov)

---

**From:** Cathy Seidel  
**Sent:** Wednesday, February 04, 2009 2:38 PM  
**To:** D'Wana Terry; Pam Slipakoff; Thomas Wyatt  
**Subject:** FW: TP -- how FCC will use delay to help consumers  
**Importance:** High

---

**From:** Mark Wigfield  
**Sent:** Wednesday, February 04, 2009 2:25 PM  
**To:** Gary Epstein; Rudy Briocche; Rosemary Harold; Rick Chesson  
**Cc:** Robert Kenny; Rosemary Kimball; Janice Wise; David Fiske; Matthew Nodine; Bruce Romano; Louis Sigalos; Patrick Webre; Jessica Przybyla; Cathy Seidel; Edie Herman  
**Subject:** RE: TP -- how FCC will use delay to help consumers  
**Importance:** High

**Gary, Rudy, Rosemary, Rick, additional talking points for media reps, field**

**How FCC will use the extension**

- **Improve our outreach program and send more FCC staff into communities to help consumers get ready for the transition**
- **Better prepare our call centers so that consumers can get a fast response with the information they need**
- **Help broadcasters provide the best possible signals over their service areas**
- **Help consumers identify and resolve reception issues, including problems with converter boxes and antennas**
- **Continue to improve coordination with other agencies, such as the NTIA (National Telecommunications and Information Administration), and with the private sector.**

---

**From:** Bruce Romano  
**Sent:** Wednesday, February 04, 2009 1:52 PM  
**To:** Mark Wigfield; Louis Sigalos; Patrick Webre; Jessica Przybyla; Cathy Seidel; Edie Herman  
**Cc:** Robert Kenny; Rosemary Kimball; Janice Wise; David Fiske; Matthew Nodine  
**Subject:** RE: TP -- how FCC will use delay to help consumers

The last item sounds like we didn't know what we were doing. How about something more along the lines of taking advantage of the things we and other agencies and the private sector have learned and are learning to continue to improve the preparation for.....

BAR

---

**From:** Mark Wigfield  
**Sent:** Wednesday, February 04, 2009 12:51 PM  
**To:** Mark Wigfield; Louis Sigalos; Patrick Webre; Jessica Przybyla; Cathy Seidel; Edie Herman  
**Cc:** Bruce Romano; Robert Kenny; Rosemary Kimball; Janice Wise; David Fiske; Matthew Nodine  
**Subject:** TP -- how FCC will use delay to help consumers

Here is the second set of TP, mostly as discussed last week

TP on how FCC will use the extension

- Improve our outreach program and send more FCC staff into communities to help consumers are ready for the transition
- Better prepare our call centers so that consumers can get a fast response with the information they need

3/11/2009

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- Help broadcasters provide the best possible signals over their service areas
- Help consumers identify and resolve reception issues, including problems with converter boxes and antennas
- Coordinate efforts better within the FCC, with other key agencies, such as the NTIA (National Telecommunications and Information Administration), and the private sector

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:57 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: S 352 and LPTV, Class A, and translator stations (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:44 AM  
**To:** Julie Saulnier  
**Subject:** FW: S 352 and LPTV, Class A, and translator stations (Response to FOIA)

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

**From:** Lori Maarbjerg  
**Sent:** Tuesday, February 03, 2009 7:03 PM  
**To:** Gregory Vadas  
**Cc:** Pam Slipakoff; Cathy Seidel; Thomas Wyatt  
**Subject:** Re: S 352 and LPTV, Class A, and translator stations

You are correct. Low power stations were never subject to the hard deadline, and nothing in the proposed bills changes that.

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

**From:** Gregory Vadas  
**To:** Lori Maarbjerg  
**Cc:** Pam Slipakoff; Cathy Seidel; Thomas Wyatt  
**Sent:** Tue Feb 03 18:47:48 2009  
**Subject:** S 352 and LPTV, Class A, and translator stations

Lori,

Does the S.352 now set a date for LPTV, Class A, and translator stations to convert to digital, i.e., do these classes of broadcasters now have to convert to digital by June 12, 2009, since there is now an extension?

Previously, pre S.352, these classes of stations were simply NOT required to stop broadcasting in analog on Feb 17th and I do not think there was a hard date for them to convert to digital.

As I read S.352, it looks like LPTV, Class A, and translator stations still do NOT have a hard date, i.e., they can continue broadcasting in analog after June 12, 2009. Is this correct?

Look forward to your input.

Thanks, Greg

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

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

**From:** Mark Wigfield

3/11/2009

14

Sent: Tuesday, February 03, 2009 6:33 PM  
To: Gregory Vadas  
Subject: FW: Senate Passed Amended DTV Delay Bill

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

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

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!

15

## Arthur Scrutchins

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**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:58 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: White House Input on Delay Legislation (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:45 AM  
**To:** Julie Saulnier  
**Subject:** FW: White House Input on Delay Legislation (Response to FOIA)

---

**From:** Patrick Webre  
**Sent:** Friday, January 30, 2009 9:54 AM  
**To:** DTV-Regional Sup  
**Subject:** White House Input on Delay Legislation

FYI.

# White House Urges DTV Delay Bill Passage

## Millions Risk Being Left In Dark: Brundage

**John Eggerton -- Multichannel News, 1/29/2009 8:16:00 PM MT**

The White House issued a statement late Thursday calling on the House to move swiftly to pass the DTV date delay bill that just passed the Senate for a second time.

"Poor planning and inadequate funding of the DTV conversion means that millions of Americans risk being left in the dark on February 17th," said White House spokeswoman Amy Brundage in an e-mail statement.

"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."

It was Barack Obama's transition team that first asked the House and Senate to move the DTV date, citing problems with the converter box coupon program and a general lack of DTV education funding. The House earlier this week defeated a Senate DTV date-change bill.

16

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

17

## Arthur Scrutchins

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**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:58 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: Post-vote talking points for FCC DTV field reps (Response to FOIA)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:45 AM  
**To:** Julie Saulnier  
**Subject:** FW: Post-vote talking points for FCC DTV field reps (Response to FOIA)

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

**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 1:52 PM  
**To:** Pam Slipakoff; Thomas Wyatt; D'Wana Terry  
**Subject:** RE: Post-vote talking points for FCC DTV field reps

fyi

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

**From:** Lori Maarbjerg  
**Sent:** Wednesday, January 28, 2009 1:49 PM  
**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

**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Subject:** Re: Post-vote talking points for FCC DTV field reps

One thing to point out: I am hearing that they may try to bring it back under regular order given the fact that they did get over 250 votes - which would be more than enough under the normal rules. So, there is still a chance of additional action on the House side.

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

**From:** Mark Wigfield  
**To:** Jeff Cohen; Jill Pender; 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; 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; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Sent:** Wed Jan 28 13:45:36 2009  
**Subject:** Post-vote talking points for FCC DTV field reps

18

Attached and pasted below are talking points for FCC people in the field working with communities on the DTV transition. Please give me your feedback on this as soon as possible so we can provide them with guidance. Many are doing media interviews on a daily basis. Most of the points here are adapted from existing language,.

<<Post-vote talking points for field.doc>>

- \* The fact that Congress rejected an extension of the Feb. 17 transition date makes it doubly important that consumers prepare now for the digital transition.
- \* Consumers who haven't yet applied for a coupon for a digital converter probably won't be able to get a coupon before Feb. 17. But they should apply anyway for any additional televisions they may have.
- \* If you already received a coupon, redeem it now!
- \* Consumers lacking a coupon should purchase a converter box anyway so they will be ready for the transition
- \* Consumers should hook up the box now in order to test their reception.
- \* If your reception is poor, consider replacing or upgrading your antenna. Antennas are especially important for digital reception, and outdoor antennas don't last forever.
- \* For help in choosing an antenna, visit [www.antennaweb.org](http://www.antennaweb.org). Once you enter your address into the site, it can tell you what kind of antenna to buy.
- \* Unfortunately, some households may still have trouble getting a signal in some areas, especially in hilly or mountainous terrain.
- \* The FCC is increasing efforts to work with broadcasters to help resolve these signal problems.
- \* The FCC is sending additional volunteers to communities to help consumers prepare for the transition.
- \* Contact your broadcaster if you have trouble getting digital reception.
- \* Remember: if you have cable or satellite, you are ready for the transition in most cases. Digital televisions do not need digital converters, but may need a better antenna.

---

From: Jeff Cohen

Sent: Wednesday, January 28, 2009 1:38 PM

To: Jill Pender; 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; 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; David Furth

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

Subject: RE: House Action on DTV Delay Bill

AP appears to have it right.

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

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From: Jill Pender

Sent: Wednesday, January 28, 2009 1:36 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; 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

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.

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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

20

3/11/2009

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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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 >>

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:02 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: Senate Vote to Delay (Response to Foia)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:46 AM  
**To:** Julie Saulnier  
**Subject:** FW: Senate Vote to Delay (Response to Foia)

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

**From:** Cathy Seidel  
**Sent:** Tuesday, January 27, 2009 7:47 AM  
**To:** Pam Slipakoff; Thomas Wyatt; D'Wana Terry  
**Subject:** Re: Senate Vote to Delay

Fyi

----- 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:** Tue Jan 27 07:28:26 2009  
**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

## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:02 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: House Action on DTV Delay Bill (Response to Foia)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:46 AM  
**To:** Julie Saulnier  
**Subject:** FW: House Action on DTV Delay Bill (Response to Foia)

---

**From:** Cathy Seidel  
**Sent:** Tuesday, January 27, 2009 2:59 PM  
**To:** Brock Fekken  
**Cc:** Pam Slipakoff; Thomas Wyatt  
**Subject:** RE: House Action on DTV Delay Bill

fyi

---

**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

26

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 >>

**Arthur Scrutchins**

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:17 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

Actually, I counted 14. See my email to Louis Sigalos--I'm directing people who still can't comply by Thurs. to provide their documents directly to OGC. Enough is enough.

---

**From:** Julie Saulnier  
**Sent:** Wed 3/11/2009 11:04 AM  
**To:** Thomas Wyatt  
**Cc:** Arthur Scrutchins  
**Subject:** RE: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

Thanks so much. I'll make sure I've forwarded all eleven

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:51 AM  
**To:** Julie Saulnier; Arthur Scrutchins  
**Subject:** RE: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

O.K. Should have checked with you first. I just sent you about 11 individual emails which may be responsive before I saw your email to Arthur. I can forward them on to Arthur if necessary. Thanks!

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:47 AM  
**To:** Arthur Scrutchins  
**Cc:** Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

Arthur: I presume email attached is responsive to the DTV Delay FOIA. Thomas, if you have any more of these, please send directly to Arthur, who is collecting all documents for delivery to OGC. Thanks.

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:41 AM  
**To:** Julie Saulnier  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspnse to FOIA)

---

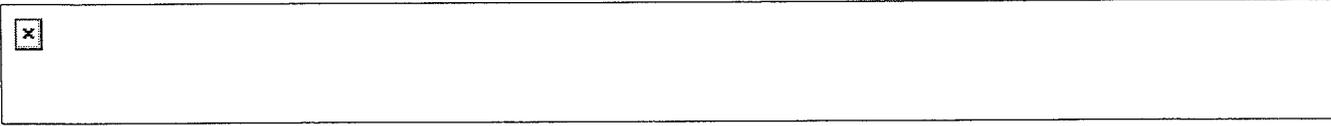
**From:** Rosemary Kimball  
**Sent:** Wednesday, February 11, 2009 5:09 PM  
**To:** Roger Goldblatt; Michael Jacobs; Nicole McGinnis; Cathy Seidel; Pam Slipakoff; D'Wana Terry; Patrick Webre; Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill

FYI

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**From:** Broadcasting and Cable Magazine [mailto:BroadcastingandCable@email.BroadcastingCable.com]  
**Sent:** Wednesday, February 11, 2009 5:08 PM  
**To:** Rosemary Kimball  
**Subject:** Breaking News: Obama Signs DTV-Delay Bill



February 11, 2009

## Obama Signs DTV-Delay Bill

President Barack Obama has signed the bill extending the DTV date from Feb. 17 to June 12. His transition team had called for the date to be moved, and the bill was passed a week ago. But the president had pledged to put bills out for a five-day public comment period, which he did with the DTV bill.  
[For More...](#)

Your e-mail address [rosemary.kimball@fcc.gov](mailto:rosemary.kimball@fcc.gov) is on our mailing list because either you specifically requested this product via e-mail or because you are a subscriber to one of our other products.

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### Editorial

Joel Topcik

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Phone: 1-646-746-6882

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## Arthur Scrutchins

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:04 AM  
**To:** Thomas Wyatt  
**Cc:** Arthur Scrutchins  
**Subject:** RE: Breaking News: Obama Signs DTV-Delay Bill (In Rspose to FOIA)

Thanks so much. I'll make sure I've forwarded all eleven

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:51 AM  
**To:** Julie Saulnier; Arthur Scrutchins  
**Subject:** RE: Breaking News: Obama Signs DTV-Delay Bill (In Rspose to FOIA)

O.K. Should have checked with you first. I just sent you about 11 individual emails which may be responsive before I saw your email to Arthur. I can forward them on to Arthur if necessary. Thanks!

---

**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 10:47 AM  
**To:** Arthur Scrutchins  
**Cc:** Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspose to FOIA)

Arthur: I presume email attached is responsive to the DTV Delay FOIA. Thomas, if you have any more of these, please send directly to Arthur, who is collecting all documents for delivery to OGC. Thanks.

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:41 AM  
**To:** Julie Saulnier  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill (In Rspose to FOIA)

---

**From:** Rosemary Kimball  
**Sent:** Wednesday, February 11, 2009 5:09 PM  
**To:** Roger Goldblatt; Michael Jacobs; Nicole McGinnis; Cathy Seidel; Pam Slipakoff; D'Wana Terry; Patrick Webre; Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill

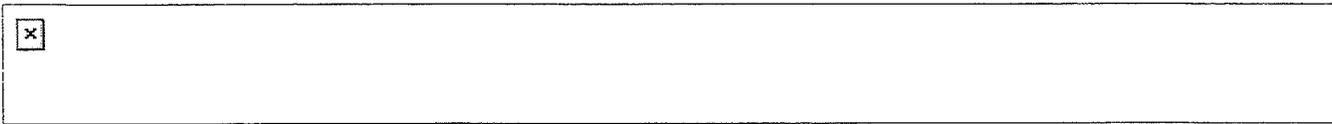
FYI

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**From:** Broadcasting and Cable Magazine [mailto:BroadcastingandCable@email.BroadcastingCable.com]  
**Sent:** Wednesday, February 11, 2009 5:08 PM  
**To:** Rosemary Kimball

**Subject:** Breaking News: Obama Signs DTV-Delay Bill



February 11, 2009

---

## Obama Signs DTV-Delay Bill

President Barack Obama has signed the bill extending the DTV date from Feb. 17 to June 12. His transition team had called for the date to be moved, and the bill was passed a week ago. But the president had pledged to put bills out for a five-day public comment period, which he did with the DTV bill.  
[For More...](#)

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### Editorial

Joel Topcik

E-mail: [joel.topcik@reedbusiness.com](mailto:joel.topcik@reedbusiness.com)

Phone: 1-646-746-6882

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## Arthur Scrutchins

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**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:02 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: DTV Bill - Senate (Response to FOIA) (Last One!)

---

**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:47 AM  
**To:** Julie Saulnier  
**Subject:** FW: DTV Bill - Senate (Response to FOIA) (Last One!)

---

**From:** Thomas Wyatt  
**Sent:** Friday, January 23, 2009 2:40 PM  
**To:** Pam Slipakoff  
**Subject:** RE: DTV Bill - Senate

Thanks!

---

**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 2:38 PM  
**To:** Thomas Wyatt  
**Subject:** FW: DTV Bill - Senate

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser:  
**[www.DTV.gov](http://www.DTV.gov)**

---

**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 12:32 PM  
**To:** Louis Sigalos  
**Subject:** FW: DTV Bill - Senate

36

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser:

[www.DTV.gov](http://www.DTV.gov)

---

**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 >>

37

**Arthur Scrutchins**

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**From:** Julie Saulnier  
**Sent:** Wednesday, March 11, 2009 11:01 AM  
**To:** Arthur Scrutchins  
**Subject:** FW: House Action on DTV Delay Bil (Response to FOIA)

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**From:** Thomas Wyatt  
**Sent:** Wed 3/11/2009 10:45 AM  
**To:** Julie Saulnier  
**Subject:** FW: House Action on DTV Delay Bil (Response to FOIA)

---

**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 12:58 PM  
**To:** D'Wana Terry; Thomas Wyatt; Pam Slipakoff  
**Subject:** RE: House Action on DTV Delay Bill

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**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

38

**Sent:** Wednesday, January 28, 2009 12:17 PM

**To:** Rick Chessen; Rosemary Harold; Rudy Brioché; 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 Brioché; 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 Brioché; 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).

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3/11/2009

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 >>

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## Thomas Wyatt

---

**From:** Mark Wigfield  
**Sent:** Thursday, February 05, 2009 2:01 PM  
**To:** Jessica Przybyla; DTV-Regional Sup  
**Cc:** Edie Herman; Rosemary Kimball  
**Subject:** RE: Delay Public Notice is now on the FCC Website

We plan to provide some bullet points -- the PN came out before we got a press release together. The bullet points will probably be distributed later this afternoon.

---

**From:** Jessica Przybyla  
**Sent:** Thursday, February 05, 2009 1:54 PM  
**To:** DTV-Regional Sup  
**Cc:** Mark Wigfield; Edie Herman; Rosemary Kimball  
**Subject:** Delay Public Notice is now on the FCC Website

Copy attached for your reference as well.

[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-09-6A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.doc)

<< File: FCC09-6.doc >>

**Thomas Wyatt**

---

**From:** Rosemary Kimball  
**Sent:** Wednesday, February 11, 2009 5:09 PM  
**To:** Roger Goldblatt; Michael Jacobs; Nicole McGinnis; Cathy Seidel; Pam Slipakoff; D'Wana Terry; Patrick Webre; Thomas Wyatt  
**Subject:** FW: Breaking News: Obama Signs DTV-Delay Bill

FYI

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**From:** Broadcasting and Cable Magazine [mailto:BroadcastingandCable@email.BroadcastingCable.com]  
**Sent:** Wednesday, February 11, 2009 5:08 PM  
**To:** Rosemary Kimball  
**Subject:** Breaking News: Obama Signs DTV-Delay Bill



# BREAKING NEWS

February 11, 2009

---

## Obama Signs DTV-Delay Bill

President Barack Obama has signed the bill extending the DTV date from Feb. 17 to June 12. His transition team had called for the date to be moved, and the bill was passed a week ago. But the president had pledged to put bills out for a five-day public comment period, which he did with the DTV bill.  
[For More...](#)

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E-mail: [joel.topcik@reedbusiness.com](mailto:joel.topcik@reedbusiness.com)  
Phone: 1-646-746-6882

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Fax: 712-733-8019

E-mail: [eletters@reedbusiness.com](mailto:eletters@reedbusiness.com)

**Thomas Wyatt**

---

**From:** Patrick Webre  
**Sent:** Friday, January 30, 2009 9:54 AM  
**To:** DTV-Regional Sup  
**Subject:** White House Input on Delay Legislation

FYI.

## **White House Urges DTV Delay Bill Passage**

### **Millions Risk Being Left In Dark: Brundage**

**John Eggerton -- Multichannel News, 1/29/2009 8:16:00 PM MT**

The White House issued a statement late Thursday calling on the House to move swiftly to pass the DTV date delay bill that just passed the Senate for a second time.

"Poor planning and inadequate funding of the DTV conversion means that millions of Americans risk being left in the dark on February 17th," said White House spokeswoman Amy Brundage in an e-mail statement.

"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."

It was Barack Obama's transition team that first asked the House and Senate to move the DTV date, citing problems with the converter box coupon program and a general lack of DTV education funding. The House earlier this week defeated a Senate DTV date-change bill.

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## Thomas Wyatt

---

**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 1:52 PM  
**To:** Pam Slipakoff; Thomas Wyatt; D'Wana Terry  
**Subject:** RE: Post-vote talking points for FCC DTV field reps

fyi

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

**From:** Lori Maarbjerg  
**Sent:** Wednesday, January 28, 2009 1:49 PM  
**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  
**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Subject:** Re: Post-vote talking points for FCC DTV field reps

One thing to point out: I am hearing that they may try to bring it back under regular order given the fact that they did get over 250 votes - which would be more than enough under the normal rules. So, there is still a chance of additional action on the House side.

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

**From:** Mark Wigfield  
**To:** Jeff Cohen; Jill Pender; 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; 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; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Sent:** Wed Jan 28 13:45:36 2009  
**Subject:** Post-vote talking points for FCC DTV field reps

Attached and pasted below are talking points for FCC people in the field working with communities on the DTV transition. Please give me your feedback on this as soon as possible so we can provide them with guidance. Many are doing media interviews on a daily basis. Most of the points here are adapted from existing language,.

<<Post-vote talking points for field.doc>>

- \* The fact that Congress rejected an extension of the Feb. 17 transition date makes it doubly important that consumers prepare now for the digital transition.
- \* Consumers who haven't yet applied for a coupon for a digital converter probably won't be able to get a coupon before Feb. 17. But they should apply anyway for any additional televisions they may have.
- \* If you already received a coupon, redeem it now!
- \* Consumers lacking a coupon should purchase a converter box anyway so they will be ready for the transition
- \* Consumers should hook up the box now in order to test their reception.
- \* If your reception is poor, consider replacing or upgrading your antenna. Antennas are especially important for digital reception, and outdoor antennas don't last forever.
- \* For help in choosing an antenna, visit [www.antennaweb.org](http://www.antennaweb.org). Once you enter your address into the site, it can tell you what kind of antenna to buy.
- \* Unfortunately, some households may still have trouble getting a signal in some areas, especially in hilly or mountainous terrain.
- \* The FCC is increasing efforts to work with broadcasters to help resolve these signal problems.

- \* The FCC is sending additional volunteers to communities to help consumers prepare for the transition.
- \* Contact your broadcaster if you have trouble getting digital reception.
- \* Remember: if you have cable or satellite, you are ready for the transition in most cases. Digital televisions do not need digital converters, but may need a better antenna.

---

From: Jeff Cohen  
Sent: Wednesday, January 28, 2009 1:38 PM  
To: Jill Pender; 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; 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; David Furth  
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan  
Subject: RE: House Action on DTV Delay Bill

AP appears to have it right.

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---

From: Jill Pender  
Sent: Wednesday, January 28, 2009 1:36 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; 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

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; 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.

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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!

---

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 >>

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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 >>

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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

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---

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 >>

## Thomas Wyatt

---

**From:** Cathy Seidel  
**Sent:** Wednesday, January 28, 2009 12:58 PM  
**To:** D'Wana Terry; Thomas Wyatt; Pam Slipakoff  
**Subject:** RE: House Action on DTV Delay Bill

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**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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**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.

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**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!

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**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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**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

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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  
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**From:** Lori Maarbjerg  
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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  
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## Thomas Wyatt

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**From:** Cathy Seidel  
**Sent:** Tuesday, January 27, 2009 2:59 PM  
**To:** Brock Fekken  
**Cc:** Pam Slipakoff; Thomas Wyatt  
**Subject:** RE: House Action on DTV Delay Bill

fyi

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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

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## Thomas Wyatt

---

**From:** Cathy Seidel  
**Sent:** Tuesday, January 27, 2009 7:47 AM  
**To:** Pam Slipakoff; Thomas Wyatt; D'Wana Terry  
**Subject:** Re: Senate Vote to Delay

Fyi

----- 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:** Tue Jan 27 07:28:26 2009  
**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

## Thomas Wyatt

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**From:** Thomas Wyatt  
**Sent:** Friday, January 23, 2009 2:40 PM  
**To:** Pam Slipakoff  
**Subject:** RE: DTV Bill - Senate

Thanks!

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**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 2:38 PM  
**To:** Thomas Wyatt  
**Subject:** FW: DTV Bill - Senate

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser: [www.DTV.gov](http://www.DTV.gov)

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**From:** Pam Slipakoff  
**Sent:** Friday, January 23, 2009 12:32 PM  
**To:** Louis Sigalos  
**Subject:** FW: DTV Bill - Senate

Pam Slipakoff  
Chief of Staff  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
202-418-7705

To visit the FCC's Digital Television Website paste this URL into your browser: [www.DTV.gov](http://www.DTV.gov)

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**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 >>

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**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 >>

**Lauren Kravetz**

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**From:** Lauren Kravetz  
**Sent:** Thursday, January 08, 2009 8:17 AM  
**To:** DTV-WestCentral  
**Subject:** From Today's TR Daily

A couple folks have asked whether there is a move to push back the deadline. Consumer groups are starting to ask for it, but that's all there is right now.

\*\*\*\*\*

### CU ASKS CONGRESS TO CONSIDER PUSHING BACK FEB. 17 DTV TRANSITION DEADLINE

Consumers Union called on Congress and President-elect Obama today to consider delaying the Feb. 17 digital TV transition, noting that the National Telecommunications and Information Administration has been forced to put converter box coupon applications on a waiting list because it has hit its \$1.34 billion obligated funding ceiling.

CU wrote letters to members of Congress, President Bush, and Mr. Obama, pointing out that hundreds of thousands of consumers have been forced to wait for unredeemed coupons to expire before they can have a chance to receive \$40 coupons. NTIA said today that 948,657 coupon requests were on the wait list.

“The federal government is getting \$19 billion from selling the analog TV spectrum, while people with analog TVs have to go out and spend their own money for a converter box,” complained CU policy analyst Joel Kelsey. “Everyone affected by the digital switch should be able to get their \$40 coupons. Congress needs to consider delaying the transition until these problems are fixed.”

CU also questioned whether the FCC's call center will be able to handle the surge of calls expected before and after the transition.

In a letter to Congress last month, FCC Chairman Kevin J. Martin said he expects that FCC outsourced call center operations would be capable of handling the projected 2.1 million consumer calls during the week of Feb. 15, although he stressed that “additional call center resources from broadcasters, cable companies, states, and other organizations are critical to organizing a successful call center response for the DTV transition.”

Separately, the FCC has announced that it is awarding more than \$8.4 million to 12 national, regional, and local entities for digital TV transition outreach and assistance. The funds will be used to allow entities to establish or beef up call centers to field consumer questions about the transition, install converter boxes, and conduct other outreach - especially to vulnerable groups.

AARP is getting the biggest award - \$2.7 million - to use its existing phone help center to assist

senior citizens with the transition. Communication Service for the Deaf will get \$1.1 million to create a national phone/text telephone help center for deaf and hard of hearing consumers, while the Hispanic Information and Telecommunication Network will get \$750,281 to establish walk-in centers in the 20 markets with the highest Hispanic populations and to provide free converter box installation.

The largest award to a regional entity is \$2.8 million to PinTech Corp., which will offer assistance to residents in Virginia, West Virginia, North Carolina, and South Carolina. It will both establish a phone help center as well as dispatch technicians to homes when necessary.

The \$8.4 million is coming from \$20 million Congress appropriated the Commission last September.

In other DTV news, Sen. Bernard Sanders (I., Vt.) reintroduced legislation today that would authorize \$700 million for fiscal years 2009 and 2010 to provide coupons to consumers to pay for the purchase and installation of antennas or other equipment needed to view TV signals after the DTV transition. NTIA would decide the value of coupons, as long as they weren't more than \$80. Sen. Sanders had originally introduced the Digital TV Transition Fairness Act (S 3740) last month but had to reintroduce it for the new Congress.

In another DTV development, New York City Council Member Gale A. Brewer wrote Meredith A. Baker, acting administrator of the National Telecommunications and Information Administration, on Monday to complain that the agency was now putting applications for converter box coupons on a wait list because it had hit its \$1.34 billion obligated funding ceiling for the program.

In her letter, Ms. Brewer bemoaned that Congress "underestimated the amount of funding necessary for all those who depend on over-the-air broadcast television for news and media. This lack of foresight, which the NTIA will now have to remedy, is of grave concern to me and to my constituents who are contacting me in droves about this issue. Of additional concern is the lack of transparency, consistency, and public outreach that have characterized the management of the coupon program by NTIA, as well as its sudden, publicly unanticipated, and therefore surprising closure."

The council member complained that information on the dtv2009.gov website has indicated that the last date for applying for coupons was Dec. 31, 2008 - rather than the actual March 31. She asked Ms. Baker why the date had been changed, which it hasn't. However, NTIA had encouraged consumers to apply for coupons by the end of 2008 to ensure they would get them in time for the Feb. 17 transition. Ms. Brewer plans to participate in a news conference with consumer advocates in New York City tomorrow to discuss the coupon program. - Paul Kirby, paul.kirby@wolterskluwer.com

## Lauren Kravetz

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**From:** Lauren Kravetz  
**Sent:** Monday, January 12, 2009 4:11 PM  
**To:** DTV-WestCentral  
**Subject:** From today's Comm Daily

I know that a lot of our folks are on the road today, so here's what Comm Daily is saying about the transition. Let's all repeat our mantra. Touch your thumbs to your middle fingers, close your eyes, and say it with me: "February 17 is the date until it's not." J

### Senate Commerce Said to Be Working on DTV Delay; Stations Ready

Members of the Senate Commerce Committee are said to be drafting a bill to delay the nationwide switch to digital TV from Feb. 17, according to lobbyists tracking the transition. Committee Chairman Jay Rockefeller, D-W.Va., is thought to be involved in the work, they said.

The bill would reflect the wishes of President-elect Barack Obama. His transition team co-chairman sought a delay in a letter Thursday to Rockefeller and other lawmakers (CD Jan 9 p3). Officials in Rockefeller's office didn't reply to messages seeking comment. The letter and the attention it's getting on Capitol Hill make it increasingly likely that the analog cutoff will be delayed, said broadcast lawyers and lobbyists.

Meanwhile, Rep. Edward Markey, D-Mass., has prepared a bill to lift Anti-Deficiency Act restrictions on the NTIA's coupon program, to allow additional \$40 vouchers to be mailed. The bill would change the assumed redemption rate to 70 percent from 100 and allow the agency to mail out new coupons by first-class U.S. mail. The NAB suggested the redemption rate modification, since 53 percent of coupons have been redeemed since the program began. The waiting list for coupons is up to 1.35 million, said an NTIA spokesman.

Government officials and broadcasters continued to disagree Friday about whether the analog cutoff should be put off. Commerce Secretary Carlos Gutierrez thinks the Feb. 17 date set earlier by Congress should stick, he said in a written statement: "It certainty has been a key element of efforts by the government and the private sector to raise awareness and drive preparedness." But Obama's request "highlights the vulnerability of millions of Americans to the impending analog shutoff," Markey said. "It also underscores the need for prompt Congressional examination of his proposal." FCC Commissioner Michael Copps thinks "more time can only help put in place the kind of consumer-focused out-

**VOL. 29, NO. 7**

**2—COMMUNICATIONS DAILY MONDAY, JANUARY 12, 2009**

reach and assistance that should have been up-and-running months ago," he said. Chairman Kevin Martin has said

delay may not be a good idea. The other two FCC members couldn't be reached to comment.

#### Broadcasters Split

Broadcasters are split on whether delay is a good idea. But all 12 companies we surveyed said they're ready technically to cut off all analog transmissions Feb. 17. That includes all stations owned by the Big Four

broadcast networks, plus stations owned by Belo, Gray TV, Hearst-Argyle, Ion Media, Media General, Raycom,

Scripps and Tribune. The companies own more than 300 stations total.

Broadcast networks seem more open to delaying the transition, while companies that own affiliates are warier

of Obama's proposal, judging from their written statements and interviews with their executives. Networks may

be more favorable because they're better attuned to political trends, an industry lawyer said. Broadcast networks'

concern isn't that they or other station groups will be unready come Feb. 17, but that some population groups will

be, industry executives said.

"All 10 of the Scripps stations are fully ready to make the transition on Feb. 17th, and we're expecting to do exactly that," a company spokesman said. "We are technically ready and fully prepared for a Feb. 17th transition to

all-digital," said Dave Folsom, chief technical officer for Raycom. "We absolutely, positively will be ready to go

on February 17 if that still winds up being the date," said a CBS spokesman. Fox is "on target with all of our milestones,"

said a spokeswoman. NBC Universal likewise said it's "prepared operationally and technically for the transition on Feb. 17." All ABC stations are prepared, said Preston Padden, executive vice president of government

relations for Disney.

Executive of other broadcasters that are ready, including Gray TV and Media General, said they want no delay. Gray's budget assumes the company won't have to continue paying electricity and other bills for analog stations

after Feb. 17, said James Ocon, the vice president of technology. "We are sort of past the point of no return in

many of our markets. So we intend, unless told otherwise by Congress, [to shut] all of our analog signals off Feb.

17 unless we're told not to. And that's adamant. We feel very strongly about this."

Ion believes "a delay in the analog cut-off raises technical and frequency allocation issues, but we have begun

contingency planning to deal with them," said John Lawson, executive vice president. "We share the transition

team's concern about the public's readiness to make the switch." Broadcasters have spent tens of millions of dollars

getting equipment ready for next month's digital switch, so any delay will increase costs, said David Donovan,

president of the Association for Maximum Service Television. "We do understand political realities as well, but I

think the key here is that there has to be some certainty regardless of what date is ultimately selected -- we need

certainty as soon as possible." The NAB declined to comment.

#### Congress 'Worried'

If the NTIA coupon program hadn't run into an accounting problem, talk about delaying the analog cutoff might not have materialized, said broadcast attorney John Hane. "My sense is that people are getting cold feet," he

said. "I don't know if we have an accounting and perception issue or a real issue, but Congress is worried about

issues whether they are real or perceived because they get blamed for them either way."

Despite some protests, broadcasters would probably be the biggest winners if the date is pushed off, Sanford Bernstein analyst Craig Moffett wrote. Delay would "push back viewership and advertising disruptions that would be an inevitable consequence of the transition," he wrote. It would also delay the handover of the 700 MHz

spectrum that's to be used for advanced wireless services, he said. "Practically speaking, not much would have happened

in the way of 4G wireless network construction anyway. But already-battered wireless technology suppliers surely won't be pleased."

Broadcasters attending the Consumer Electronics Show last week in Las Vegas weren't happy to hear about the growing possibility of a delay, said Jay Adrick, the vice president of broadcast technology of Harris Corp. "The

#### **MONDAY, JANUARY 12, 2009 COMMUNICATIONS DAILY—3**

broadcasters' attitude to this was, "This is totally unnecessary." Delay would hurt small broadcasters most, an industry

official said. "The ad market is so thin at this point that in some way adding \$5,000 to \$10,000 a month for four months [in energy costs to power the analog transmitter] is a huge amount of money for some stations, especially

smaller ones."

More time could help mobile DTV advocates hone their system before broadcasters have to leave the analog spectrum, but a few months is unlikely to give them much advantage, industry officials said. "You could make the argument

that strategically, 'if I delay the transition, then what I'm doing is holding off those organizations who bought the

spectrum from turning on whatever new services they're going to turn on,'" an official said. If those services compete

with mobile DTV plans, then delaying the switch could be a boon to broadcasters, the official said. "But is three or four

months really going to make that much difference in the grand scheme of things? I wonder, and we don't know how

much of that spectrum is actually going to be used for things that are competitive for mobile DTV."

If broadcasters begin promoting the new service, consumers may wait to buy competing subscription mobile video services, Hane said. But the ATSC mobile "chipsets are not in the phones yet," he said. "I'm not sure how meaningful two or three months is." Broadcasters pushing for mobile DTV aren't thinking about what a delay

would mean competitively, Adrick said. "I don't think broadcasters are worried about that. They're more worried

about getting their signal on the air."

5

## Lauren Kravetz

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**From:** Lauren Kravetz  
**Sent:** Tuesday, January 27, 2009 6:19 PM  
**To:** DTV-WestCentral  
**Subject:** No Action in House Yet on DTV Bill

**Importance:** High

Here's the latest from our legislative folks at HQ: Things are running a bit behind schedule on the House floor, so it looks like they will not reach the 40 minutes of debate until later this evening. The House bill has a couple differences from the Senate bill, which will require the Senate to vote again. (Repeat mantra: February 17 is the date until it's not.)

**Lauren Kravetz**

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**From:** Lauren Kravetz  
**Sent:** Wednesday, January 28, 2009 1:32 PM  
**To:** Irene Bleiweiss; DTV-WestCentral  
**Subject:** RE: House vote just failed.  
**Importance:** High

Removing Dan Foley from Galesburg, IL from the email chain. Not sure how he got on there, but it must have been my error. PLEASE check before you respond on this chain that he is removed.

Yes, OLA knows and is dealing with it.

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**From:** Irene Bleiweiss  
**Sent:** Wednesday, January 28, 2009 1:30 PM  
**To:** Lauren Kravetz; DTV-WestCentral; 'Dan Foley'  
**Subject:** RE: House vote just failed.

Oy! Is someone here contacting Reuter's asap? This is the sort of thing that will get picked up by other news organizations. Then policy folks will use it -- like the coupon wait list -- as an argument that there is confusion among consumers.  
Repeat mantra .....

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**From:** Lauren Kravetz  
**Sent:** Wednesday, January 28, 2009 1:24 PM  
**To:** DTV-WestCentral; 'Dan Foley'  
**Subject:** FW: House vote just failed.

The Reuters report is erroneous. Transition date remains February 17<sup>th</sup>. They needed more than 285 to pass by this procedure, and they got only 258.

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**From:** Andrew Nelson  
**Sent:** Wednesday, January 28, 2009 1:23 PM  
**To:** Lauren Kravetz  
**Subject:** RE: House vote just failed.

Or did it pass?

<http://www.reuters.com/article/newsOne/idUSTRE50R5RK20090128>

Andrew Nelson  
FCC, Enforcement Bureau  
(816) 316-1247

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

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**From:** Lauren Kravetz  
**Sent:** Wednesday, January 28, 2009 12:12 PM  
**To:** DTV-WestCentral  
**Subject:** House vote just failed.

Just heard from a friend who reports for Congressional Quarterly that the vote in the House failed. They tried to do a quick vote, but didn't get the required 2/3. No word on whether the bill will make it to the House floor some other way.

(Repeat mantra . . .)

## Lauren Kravetz

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**From:** Lauren Kravetz  
**Sent:** Wednesday, February 04, 2009 1:20 PM  
**To:** DTV-WestCentral  
**Subject:** Legislative Update

From my friend at Congressional Quarterly.

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**From:** Megan Sowder-Staley [mailto:megan.sowder@gmail.com]  
**Sent:** Wednesday, February 04, 2009 1:18 PM  
**To:** Lauren Kravetz  
**Subject:** FYI

The House is considering the Senate version of the DTV Delay Act today...should be a vote on it around 4pm or so. If it passes it would be cleared for the president.

**Lauren Kravetz**

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**From:** Lauren Kravetz

**Sent:** Wednesday, February 04, 2009 4:13 PM

**To:** DTV-WestCentral

**Subject:** Delay Bill Just Passed 261-158. Stay tune. (No pun intended.)

**Lauren Kravetz**

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**From:** Lauren Kravetz  
**Sent:** Thursday, February 05, 2009 1:06 PM  
**To:** DTV-WestCentral  
**Subject:** S.352 as passed, for your reading pleasure

**DTV Delay Act (Considered and Passed by Senate)**

S 352 CPS

111th CONGRESS

1st Session

**S. 352**

To postpone the DTV transition date.

**IN THE SENATE OF THE UNITED STATES**

**January 29, 2009**

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. KERRY, Ms. KLOBUCHAR, Mr. PRYOR, Mr. DORGAN, Mr. SCHUMER, Mr. KOHL, Mr. SANDERS, Mr. HARKIN, and Mr. CASEY) introduced the following bill; which was read twice, considered, read the third time, and passed

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**A BILL**

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) 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.'.

(c) 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) Extension of Coupon Program- 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 `March 31, 2009,' and inserting `July 31, 2009,'.

(b) 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.'.

(c) 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'.

(d) Condition of Modifications- The amendments made by this section shall not take effect until the enactment of additional budget authority after the date of enactment of this Act to carry out the analog-to-digital converter box program under section 3005 of the Digital Television Transition

and Public Safety Act of 2005.

#### 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- Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. 90.545).

(c) Expedited Rulemaking- Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications and 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.'.

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**From:** Margaret Egler  
**Sent:** Wednesday, February 04, 2009 2:07 PM  
**To:** Rebecca Dorch; Linda Barnes; Leo Cirbo; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen  
**Subject:** RE: WR Management Conference Call

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**From:** Rebecca Dorch  
**Sent:** Wednesday, February 04, 2009 1:47 PM  
**To:** Linda Barnes; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris

McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen  
**Subject:** RE: WR Management Conference Call

Agenda for today and more.

\*\*\* Internal FCC Communications \*\*\*

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

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**From:** Linda Barnes

**Sent:** Wed 2/4/2009 2:02 PM

**To:** Rebecca Dorch; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern;  
Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen

**Subject:** WR Management Conference Call

There will be a Western Region Management conference call today at 2:00 p.m. pt on the 816 823-1760  
"meet me" line. -Linda

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

**Patrick Webre**

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**From:** Patrick Webre  
**Sent:** Tuesday, February 10, 2009 11:23 AM  
**To:** Simon Banyai  
**Cc:** Bill Cline; Lyle Elder  
**Subject:** RE: Quick DTV Question

Very good questions Simon. Unfortunately, until the President signs the delay legislation, it is not effective. We're hoping he will sign today, so that we can start distributing our revised consumer publications. Please stay tuned. We should know more today or tomorrow. Thanks.

---

**From:** Simon Banyai  
**Sent:** Tuesday, February 10, 2009 10:49 AM  
**To:** Patrick Webre  
**Subject:** Quick DTV Question

Mr. Webre,

My name is Simon Banyai, I have been the DMA Coordinator in the Cleveland-Akron (Canton)/Youngstown DMAs, and I am writing to you because a problem has been referred to me from two members of our staff who are currently working on the ground in this DMA. Two organizations in Akron have been kind enough to further distribute our publications – the Summit County Fiscal Office, and the Summit County Office of Consumer Affairs (<http://www.co.summit.oh.us/conaffairs.htm>). In fact, the Office of Consumer Affairs has been the only organization that has so far agreed to act as the Walk-In Help Center for the remainder of the transition and an order for several hundred pages of our publications is currently being processed for this office.

The question this morning comes from the Fiscal Office, however, which has also agreed to distribute our publications to the general public and to other county agencies. They have refused to accept the publications our two-on-the-ground officers tried to give them this morning, stating that they could not further distribute publications that are out-of-date or show the February 17<sup>th</sup> deadline. What should be communicated to them – both our officers and the office?

Finally, the current document order for this office was placed on February 6th. Will any documents expected to be shipped to this office by this Friday bear the new transition deadline date? I would like to communicate an answer to our people in Akron shortly.

I realize documents are being updated. (Furthermore, as a side question, when will our DTV Delay one-pager be available for further distribution?)

Thanks for your help in this matter.

Simon Banyai  
Attorney Advisor  
Media Bureau, Policy Division  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554  
Phone: (202) 418-1443  
Mobile: (202) 903-8343  
Fax: (202) 418-2120

## Patrick Webre

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**From:** Patrick Webre  
**Sent:** Saturday, February 07, 2009 1:25 PM  
**To:** Rick Chessen; Gary Epstein; Rudy Brioche; Rosemary Harold  
**Cc:** Cathy Seidel; Roger Goldblatt; Louis Sigalos; Eloise Gore  
**Subject:** Fw: DTV Advisory

FYI.

----- Original Message -----  
**From:** Patrick Webre  
**To:** DTV-Regional Sup  
**Sent:** Sat Feb 07 11:12:18 2009  
**Subject:** Fw: DTV Advisory

FYI - we posted a new consumer publication regarding the DTV Delay Legislation on our website.

----- Original Message -----  
**From:** Brock Fekken  
**To:** Cathy Seidel  
**Cc:** Patrick Webre; Mark Wigfield; Pam Slipakoff; Roger Goldblatt  
**Sent:** Fri Feb 06 21:14:21 2009  
**Subject:** RE: DTV Advisory

The new advisory is now posted on the DTV main page inside the red box. <http://www.dtv.gov/> <<http://www.dtv.gov/>>

I also posted it on the top of the Publications Page <http://www.dtv.gov/publications.html> <<http://www.dtv.gov/publications.html>>

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**From:** Cathy Seidel  
**Sent:** Fri 2/6/2009 6:57 PM  
**To:** Brock Fekken  
**Cc:** Patrick Webre; Mark Wigfield; Pam Slipakoff  
**Subject:** DTV Advisory

<<Delay Legislation Advisory 02-06-09.doc>> Brock, As discussed, please post this to the dtv.gov webpage later this evening. I know you are out of pocket until around 9 p.m., but that you will post it then. Thank you for doing so. Just drop us an email back when it is done. Thanks again for all your help. (and, thanks again, Patrick for your work on this.)

**Patrick Webre**

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**From:** Patrick Webre  
**Sent:** Friday, January 30, 2009 9:54 AM  
**To:** DTV-Regional Sup  
**Subject:** White House Input on Delay Legislation

FYI.

## **White House Urges DTV Delay Bill Passage**

### **Millions Risk Being Left In Dark: Brundage**

**John Eggerton -- Multichannel News, 1/29/2009 8:16:00 PM MT**

The White House issued a statement late Thursday calling on the House to move swiftly to pass the DTV date delay bill that just passed the Senate for a second time.

"Poor planning and inadequate funding of the DTV conversion means that millions of Americans risk being left in the dark on February 17th," said White House spokeswoman Amy Brundage in an e-mail statement.

"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."

It was Barack Obama's transition team that first asked the House and Senate to move the DTV date, citing problems with the converter box coupon program and a general lack of DTV education funding. The House earlier this week defeated a Senate DTV date-change bill.

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

## Patrick Webre

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**From:** Patrick Webre  
**Sent:** Friday, January 30, 2009 9:20 AM  
**To:** DTV-Southeast State Coordinators  
**Subject:** FW: Senate Passed Amended DTV Delay Bill

**Attachments:** S. 352 (Amended Senate DTV bill - as passed).pdf



S. 352 (Amended  
Senate DTV bil...

FYI. We'll discuss this in more detail at our regular Monday morning meeting.

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

**From:** Lori Maarbjerg  
**Sent:** Friday, January 30, 2009 9:19 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; Angela Giancarlo; Maureen McLaughlin; Roger Goldblatt  
**Cc:** Deana Funderburk; Jim Balaguer; Timothy Strachan; Joy Medley  
**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!

**Patrick Webre**


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**From:** Patrick Webre  
**Sent:** Wednesday, January 28, 2009 2:49 PM  
**To:** DTV-SouthEast  
**Subject:** RE: DTV Legislation  
**Importance:** High

As you may have heard, this afternoon the House was unable to secure the votes needed to pass the deadline delay legislation. The DTV transition deadline remains February 17, 2009. There is always a possibility that Congress may try again in the next few days to pass legislation delaying the deadline. However, what Congress may or may not do is not really relevant to what we should be telling consumers (and hopefully have been telling consumers for the last several weeks). It is very important for consumers to act now. Securing a converter box for at least one TV in their home, hooking it up properly, and troubleshooting any problems with reception must be done by over-the-air analog-only consumers now. That message should be universally delivered by all of us, clearly and consistently.

I know some consumers cannot afford a converter box without the assistance of a coupon, and they may not receive their coupon(s) in time. In these instances, it's important to work with your local contacts and grass roots organizations to see if there are any local solutions available. Please keep your State Coordinators in the loop on these issues.

It's unfortunate that on top of all the difficult work that we have been doing in trying to educate consumers, we have all had to be on this roller coaster ride of whether or not the deadline will change. If questions continue to arise when you're dealing with your contacts and members of the public, please emphasize that the deadline remains February 17th, but that the most important date for consumers to focus on is today. Today is the day they need to take the necessary action to ensure that they can receive the digital broadcasts in their area.

Thanks again for all that you are doing.

Patrick

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**From:** Patrick Webre  
**Sent:** Tuesday, January 27, 2009 1:15 PM  
**To:** DTV-SouthEast  
**Subject:** DTV Legislation  
**Importance:** High

As many of you have heard, last night the Senate passed the DTV Delay Bill. The Bill may be considered in the House today or tomorrow. One of the provisions in the Bill is that the transition deadline would be extended to June 12, 2009. It is important to note that it is unclear whether the House will have enough votes to pass it. It is also important to note that if it passes the House and becomes law, it does not prevent full-power broadcast stations from completing their transition on February 18, 2009, or at any point in between February 18th and June 12th.

While the legislation is pending, we have to remain focused and engaged on the outreach underway in each of our 45 DMAs. If the legislation passes, we will have the added responsibility of altering and disseminating our local messaging depending on the transition plans of the full-power broadcast stations in each DMA. In either case, we must remain fully engaged at the local level, and continue to seek new ways to reach consumers. This is especially important because consumers are hearing that the deadline may be pushed back, so they will be inclined to wait, when it will continue to be in their best interest to act now.

For several months, I have advocated that stressing a deadline date to members of the public has the unintended consequence of giving them the impression that they have the luxury of time, and that they don't have to worry until we get closer to that date. It will be no different if the deadline date changes from February 17th to June 12th, and in fact will be much worse if people believe that they have until June 12th, but their broadcasters decide that they will turn off their analog transmitters earlier.

Please remain fully engaged in your local outreach and keep the lines of communications open with your local contacts. Please also stay tuned and connected to your State Coordinators. As you probably know, the DTV transition is the highest priority for Chairman Copps, and we will be hearing more on this topic in the next few days.

I also want to take this opportunity to offer my sincere thanks to each of you for the incredible amount of work and progress you have made in the few months that our Southeast Region Team has been in place. It has been through your tireless efforts that we have been able to reach so

3/10/2009

9

many thus far. Keep up the good work!

Patrick

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## Patrick Webre

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**From:** Patrick Webre  
**Sent:** Wednesday, January 28, 2009 2:28 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; 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; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Subject:** RE: Post-vote talking points for FCC DTV field reps

Whether or not Congress tries again to pass deadline delay legislation is not really relevant to what our folks in the field should be saying and should have been saying for the last several weeks. It is very important for consumers to act now. Securing a converter box for at least one TV in their home, hooking it up properly, and troubleshooting any problems with reception must be done by OTA analog-only consumers now. That message should be universally delivered, clearly and consistently. It's a message we will never have to adjust.

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

**From:** Lori Maarbjerg  
**Sent:** Wednesday, January 28, 2009 1:57 PM  
**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  
**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Subject:** Re: Post-vote talking points for FCC DTV field reps

At this point it is my understanding that the House Republicans are having a retreat tomorrow and Friday, so the House was not scheduled to be in. I am confirming.

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

**From:** Mark Wigfield  
**To:** Lori Maarbjerg; 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  
**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Sent:** Wed Jan 28 13:53:37 2009  
**Subject:** RE: Post-vote talking points for FCC DTV field reps

Any idea when? Field reps will face questions in the interim, and probably should be telling consumers to prepare ASAP

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

**From:** Lori Maarbjerg  
**Sent:** Wednesday, January 28, 2009 1:49 PM  
**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  
**Cc:** Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan; Roger Goldblatt  
**Subject:** Re: Post-vote talking points for FCC DTV field reps

One thing to point out: I am hearing that they may try to bring it back under regular order given the fact that they did get over 250 votes - which would be more than enough under the normal rules. So, there is still a chance of additional action on the House side.

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

**From:** Mark Wigfield  
**To:** Jeff Cohen; Jill Pender; 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; 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; Joy Medley; Timothy Strachan; Roger Goldblatt  
Sent: Wed Jan 28 13:45:36 2009  
Subject: Post-vote talking points for FCC DTV field reps

Attached and pasted below are talking points for FCC people in the field working with communities on the DTV transition. Please give me your feedback on this as soon as possible so we can provide them with guidance. Many are doing media interviews on a daily basis. Most of the points here are adapted from existing language,.

<<Post-vote talking points for field.doc>>

- \* The fact that Congress rejected an extension of the Feb. 17 transition date makes it doubly important that consumers prepare now for the digital transition.
- \* Consumers who haven't yet applied for a coupon for a digital converter probably won't be able to get a coupon before Feb. 17. But they should apply anyway for any additional televisions they may have.
- \* If you already received a coupon, redeem it now!
- \* Consumers lacking a coupon should purchase a converter box anyway so they will be ready for the transition
- \* Consumers should hook up the box now in order to test their reception.
- \* If your reception is poor, consider replacing or upgrading your antenna. Antennas are especially important for digital reception, and outdoor antennas don't last forever.
- \* For help in choosing an antenna, visit [www.antennaweb.org](http://www.antennaweb.org). Once you enter your address into the site, it can tell you what kind of antenna to buy.
- \* Unfortunately, some households may still have trouble getting a signal in some areas, especially in hilly or mountainous terrain.
- \* The FCC is increasing efforts to work with broadcasters to help resolve these signal problems.
- \* The FCC is sending additional volunteers to communities to help consumers prepare for the transition.
- \* Contact your broadcaster if you have trouble getting digital reception.
- \* Remember: if you have cable or satellite, you are ready for the transition in most cases. Digital televisions do not need digital converters, but may need a better antenna.

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From: Jeff Cohen  
Sent: Wednesday, January 28, 2009 1:38 PM  
To: Jill Pender; 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; 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; David Furth  
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan  
Subject: RE: House Action on DTV Delay Bill

AP appears to have it right.

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

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From: Jill Pender  
Sent: Wednesday, January 28, 2009 1:36 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; 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

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.

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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.

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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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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.

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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!

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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 >>

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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 >>

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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.

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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 >>

## Patrick Webre

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**From:** Patrick Webre  
**Sent:** Tuesday, January 27, 2009 2:47 PM  
**To:** Lori Maarbjerg  
**Subject:** RE: House Action on DTV Delay Bill

Thanks Lori. What is the status of the Economic Stimulus package? Has it, or a version of it, already passed the Senate? Is it foreseeable that the Stimulus package and the DTV bill could clear Congress at about the same time?

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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

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---

**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

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

**Patrick Webre**

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**From:** Patrick Webre  
**Sent:** Tuesday, January 27, 2009 1:15 PM  
**To:** DTV-SouthEast  
**Subject:** DTV Legislation  
**Importance:** High

As many of you have heard, last night the Senate passed the DTV Delay Bill. The Bill may be considered in the House today or tomorrow. One of the provisions in the Bill is that the transition deadline would be extended to June 12, 2009. It is important to note that it is unclear whether the House will have enough votes to pass it. It is also important to note that if it passes the House and becomes law, it does not prevent full-power broadcast stations from completing their transition on February 18, 2009, or at any point in between February 18th and June 12th.

While the legislation is pending, we have to remain focused and engaged on the outreach underway in each of our 45 DMAs. If the legislation passes, we will have the added responsibility of altering and disseminating our local messaging depending on the transition plans of the full-power broadcast stations in each DMA. In either case, we must remain fully engaged at the local level, and continue to seek new ways to reach consumers. This is especially important because consumers are hearing that the deadline may be pushed back, so they will be inclined to wait, when it will continue to be in their best interest to act now.

For several months, I have advocated that stressing a deadline date to members of the public has the unintended consequence of giving them the impression that they have the luxury of time, and that they don't have to worry until we get closer to that date. It will be no different if the deadline date changes from February 17th to June 12th, and in fact will be much worse if people believe that they have until June 12th, but their broadcasters decide that they will turn off their analog transmitters earlier.

Please remain fully engaged in your local outreach and keep the lines of communications open with your local contacts. Please also stay tuned and connected to your State Coordinators. As you probably know, the DTV transition is the highest priority for Chairman Copps, and we will be hearing more on this topic in the next few days.

I also want to take this opportunity to offer my sincere thanks to each of you for the incredible amount of work and progress you have made in the few months that our Southeast Region Team has been in place. It has been through your tireless efforts that we have been able to reach so many thus far. Keep up the good work!

Patrick

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## Patrick Webre

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**From:** Patrick Webre  
**Sent:** Tuesday, January 27, 2009 10:35 AM  
**To:** DTV-Southeast State Coordinators  
**Subject:** FW: Senate Passage of DTV Delay Bill

**Attachments:** S. 328 (as passed by Senate).pdf; Summary of S. 328.doc

FYI.

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**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

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S. 328 (as passed  
by Senate).p...



Summary of S.  
328.doc (37 KB)

**Patrick Webre**

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**From:** Patrick Webre  
**Sent:** Monday, January 26, 2009 7:22 PM  
**To:** Rick Chessen  
**Subject:** New Deadline

In case you haven't heard.

## **Senate Agrees To Move DTV Transition Date**

### **Must be reconciled with House version of the bill**

**By John Eggerton -- Broadcasting & Cable, 1/26/2009 5:00:16 PM MT**

The Senate Monday night approved unanimously a compromise bill (S.328) that would move the DTV transition date from Feb. 17 to June 12, but it must now be reconciled with a House version of the bill, and quickly point out backers of the legislation.

Senator Jay Rockefeller, chairman of the Senate Commerce Committee and the bill's co-sponsor, sought a similar vote on his original bill, which would simply have moved the date from Feb. 17 to June 12. That bill was blocked by at least one Republican, which is all it takes.

Rockefeller then teamed with ranking Republican Kay Bailey Hutchinson on a compromise bill that dealt with other issues, including unclogging the DTV-to-analog converter box backlog and access to reclaimed analog TV spectrum by industry and first responders. Most importantly, at least in terms of getting Republican support, the bill is revenue-neutral, meaning the cost of making the move will be underwritten by future FCC spectrum auctions.

It was that bill that made it past the Republican gauntlet.

The House is preparing Tuesday to mark up its own, similar, bill, but could conceivably engage in a game of legislative ping-pong with the Senate version that would preclude having to conference to reconcile the two. The bills are "virtually alike," says one Rockefeller aide. "The House bill actually contains funding number which we don't have in our bill." He said they may have to conference the bill, but it could also be a case of where "they amend it and pass it back over here and we amend it and send it back over there until we have a final bill."

The Obama administration three weeks ago asked Congress to delay the transition date, prompted primarily by a slow-down in converter-box coupon distribution due to the combination of a funding ceiling and an accounting problem that prevented more coupons from being sent out before expired ones were redeemed.

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