

Reauthorize and Revitalize the Satellite Home Viewer Act

More than 870,000 satellite subscribers, many in the most rural areas of the country, receive at least one distant network signal from DIRECTV or DISH. In many cases, only the Satellite Act permits them to receive network television at all. In all cases, failure to renew the Satellite Act would remove channels from people who legally receive them today—many of whom have done so for years—and who would not understand why those channels were taken away.

- Hundreds of thousands of mostly rural American homes, along with long-haul truckers, RV and camping enthusiasts, and tailgating sports fans, rely on satellite technology to provide them with access to network TV service that many other technologies cannot offer.
- Were Congress not to reauthorize the Satellite Act, these subscribers would lose access to network TV service that most Americans take for granted.
- Some have suggested that private licensing could take the place of the Satellite Act. That may be true under the comprehensive deregulatory approach championed by Rep. Scalise (R-LA), which would eliminate nearly all regulation of broadcast television, including the enormous regulatory benefits enjoyed by broadcasters. However, nobody seriously contends that if Congress were to only eliminate the Satellite Act's distant signal provisions, private licensing would replace them. **Even NAB, which has opposed these provisions for decades, does not believe this.**¹
- The distant signal provisions must be renewed by Congress for a largely rural segment of the American population to receive the same broadcast network programming as the rest of the American populace.
- For satellite customers located in “short markets” (media markets that lack at least one local Big 4 affiliate, where the Satellite Act permits satellite-TV distributors to substitute a distant market signal for the missing local station), letting the Satellite Act expire would remove access to at least one Big 4 network from those customers.
- In other words, if Congress fails to renew the Satellite Act, distant signals would disappear for many satellite television customers, **depriving rural Americans of access to broadcast network programming that they have continuously relied on.**

Since the cable statutory license does not have an expiration date, SBCA supports a permanent reauthorization of the Satellite Act that establishes parity between satellite and cable. There is no reason why satellite subscribers should live with the threat of losing their service every five years, while cable subscribers face no such harm. However, barring a permanent reauthorization, **Congress must continue extending the Satellite Act**, as it has done since 1988.

¹ United States Copyright Office, “Section 302” Report at 71-72 (2011), available at <http://www.copyright.gov/reports/section302-report.pdf> (“NAB concluded that given the overwhelming economic importance to the station of appealing to viewers in its own market as opposed to cable or satellite subscribers in some distant market, there is little likelihood that stations would adjust their existing licensing models for broadcast programming specifically to accommodate the programming preferences of a distant cable operator or satellite carrier. NAB also stated that there is no incentive for a broadcaster to undertake the additional cost and administrative burden of negotiating for additional rights to be able to sublicense all of its station’s programs to cable operators or satellite carriers serving subscribers in distant markets.”) (internal citations omitted).

