Congress of the United States
Washington, DC 20515

July 18, 2013

0729

The Honorable Mignon Clyburn
Acting Chair
U.S. Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Acting Chairwoman Clyburn:

As representatives of rural and mountainous communities across America, our constituents rely on local, over-the-air television received through translators and low power television stations not only for entertainment but also for critical news, weather and other information. This includes our nation's farmers, ranchers, and small, rural communities.

In authorizing the Federal Communications Commission (FCC) to conduct the first-ever incentive spectrum auction, the debate in Congress centered on the important goal of relieving wireless congestion and delivering mobile broadband services by incentivizing television broadcasters to voluntarily relinquish spectrum rights that could then be purchased by wireless carriers. As part of this process, we urge the FCC not to reclaim more broadcaster spectrum in rural areas than the FCC reclaims in urban areas. Our primary concern is to ensure that this plan not result in the elimination of television service for our rural constituents.

Particularly in rural America, our constituents rely heavily on translators to watch their television programming. There are over 4,000 translators across the country that extend the reach of television station signals offering vital news and weather to agricultural and farming communities. Moreover, there are nearly 2,000 low power television stations offering niche programming important to our nation's rural areas. Therefore we encourage the FCC to do all it can to ensure viewers do not lose access to important broadcast programming through rural translators and low power television stations.

Rural America accounts for one-sixth of the total U.S. population, representing more than 50 million people. We respectfully request a response to our concerns no later than August 23, 2013 on how the upcoming incentive auctions will affect these millions of rural television viewers before the FCC proceeds with any plans that could adversely affect our constituents in rural America. We appreciate your prompt attention to this very important matter.

Sincerely,

Frank D. Lucas
Chairman,
House Committee on Agriculture

Collin C. Peterson
Ranking Member,
House Committee on Agriculture

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Mark Amodei
Member of Congress

Rick Crawford
Member of Congress

Joe Barton
Member of Congress

Rodney Davis
Member of Congress

Cheri Bustos
Member of Congress

Peter DeFazio
Member of Congress

Shelley Capito
Member of Congress

Suzan DelBene
Member of Congress

Chris Collins
Member of Congress

Scott DesJarlais
Member of Congress

Mike Conaway
Member of Congress

William Enyart
Member of Congress

Joe Courtney
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Nick Rahall
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Reid Ribble
Member of Congress

Markwayne Mullin
Member of Congress

Martha Roby
Member of Congress

Kristi Noem
Member of Congress

Mike D. Rogers (AL-03)
Member of Congress

Rick Nolan
Member of Congress

Kurt Schrader
Member of Congress

Pete Gallego
Member of Congress

Ralph Hall
Member of Congress

John Garamendi
Member of Congress

Vicky Hartzler
Member of Congress

Bob Gibbs
Member of Congress

Richard Hudson
Member of Congress

Chris Gibson
Member of Congress

Ron Kind
Member of Congress

Bob Goodlatte
Member of Congress

Ann Kuster
Member of Congress

Paul Gosar
Member of Congress

Doug LaMalfa
Member of Congress

Sam Graves
Member of Congress

David Loebsack
Member of Congress

Austin Scott
Member of Congress

Mike Thompson
Member of Congress

David Scott
Member of Congress

Mac Thornberry
Member of Congress

John Shimkus
Member of Congress

Scott Tipton
Member of Congress

Bill Shuster
Member of Congress

Filemon Vela
Member of Congress

Adrian Smith
Member of Congress

Tim Walz
Member of Congress

Bennie Thompson
Member of Congress

Ted Yoho
Member of Congress

Don Young
Member of Congress

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Frank D. Lucas
U.S. House of Representatives
2311 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Lucas:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

One of the core objectives of the incentive auction is to provide for a healthy broadcast industry, and we are working to ensure that it does. Importantly, participation in the incentive auction is completely voluntary and no full-power or Class A low power television (LPTV) stations will be forced to participate or go off the air.

As required by the Spectrum Act, all full power and Class A broadcast television stations that do not participate in the reverse auction, or participate and do not submit winning bids, will stay on the air and either remain on their present channels or be repacked to new channels in the same band. The Spectrum Act also stipulates that the Commission use "all reasonable efforts" to preserve the coverage areas and populations served by full power and Class A stations that remain on the air. The Commission will provide broadcasters with the full protections required by the statute.

The Spectrum Act, however, decrees that TV translator and non-Class A LPTV stations are not eligible to participate in the reverse auction and are not entitled to preservation of their service in the repacking. Recognizing the potential impact on LPTV and translator stations, the Commission has sought comment on, and currently is considering, measures to help ensure that the important programming they provide continues to reach viewers.

With respect to the amount of spectrum that the Commission will reclaim in rural areas, in the *Incentive Auction Notice of Proposed Rulemaking* the Commission identified the ability to accommodate varying levels of spectrum recovery in different markets as an important objective in designing the new 600 MHz band plan. By implementing a band plan that supports variation between markets, we would not be forced to limit the auction to the amount of spectrum available in the least cleared markets. However, our goal is to recover a consistent amount of spectrum in the vast majority of the country's markets and, while we may recover less spectrum in constrained markets, such as some urban areas, we are not contemplating clearing more than our national baseline in rural markets.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Mignon L. Clyburn

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Mark Amodei
U.S. House of Representatives
222 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Amodei:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Joe Barton
U.S. House of Representatives
2107 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Mignon L. Clyburn

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Shelley Moore Capito
U.S. House of Representatives
2443 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Capito:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

One of the core objectives of the incentive auction is to provide for a healthy broadcast industry, and we are working to ensure that it does. Importantly, participation in the incentive auction is completely voluntary and no full-power or Class A low power television (LPTV) stations will be forced to participate or go off the air.

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Mignon L. Clyburn

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable K. Michael Conaway
U.S. House of Representatives
2430 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Conaway:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,

Mignon L. Clyburn

FEDERAL COMMUNICATIONS COMMISSION

November 21, 2013

Mignon L. Clyburn
Commissioner

The Honorable Joe Courtney
U.S. House of Representatives
2348 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Courtney:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

One of the core objectives of the incentive auction is to provide for a healthy broadcast industry, and we are working to ensure that it does. Importantly, participation in the incentive auction is completely voluntary and no full-power or Class A low power television (LPTV) stations will be forced to participate or go off the air.

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FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Rick Crawford
U.S. House of Representatives
1408 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Crawford:

Thank you for your letter expressing concern about the incentive auctions as they affect rural areas, particularly the effect on TV translators. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Mignon L. Clyburn

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn
Commissioner

November 21, 2013

The Honorable Peter A. DeFazio
U.S. House of Representatives
2134 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman DeFazio:

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