

111TH CONGRESS
1ST SESSION

H. R. 661

To provide additional coupons for the digital-to-analog converter box program and to expedite delivery of coupons under such program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2009

Mr. BARTON of Texas (for himself, Mr. STEARNS, Mr. UPTON, Mr. TERRY, Mr. WALDEN, Mr. BLUNT, Mr. RADANOVICH, Mr. GINGREY of Georgia, Mr. SHIMKUS, Mr. WHITFIELD, and Mrs. BLACKBURN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide additional coupons for the digital-to-analog converter box program and to expedite delivery of coupons under such program.

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. FINDINGS.**

4 The Congress finds the following:

5 (1) After significant work educating the people
6 of the United States about the February 17, 2009,
7 digital television transition, efforts to delay the tran-

1 sition will confuse people, leaving them less, rather
2 than more, prepared. Delay will—

3 (A) not move a single consumer off of the
4 waiting list for analog-to-digital converter box
5 coupons;

6 (B) require an additional appropriation of
7 \$650 million in the American Recovery and Re-
8 investment Act of 2009;

9 (C) jeopardize the availability of the spec-
10 trum that the transition clears for police, fire-
11 fighters, and emergency personnel (spectrum
12 that public safety officials stated 5 years to the
13 day before September 11, 2001, they needed),
14 and jeopardize that spectrum despite the sup-
15 port in the 2004 report of the 9/11 Commission
16 for legislation setting an even earlier firm date;
17 and

18 (D) jeopardize the availability of the spec-
19 trum that the transition clears for advanced
20 wireless services, perhaps our Nation's best and
21 quickest way to improve broadband deployment,
22 stimulating the economy and creating job
23 growth.

24 (2) The program sending households up to 2
25 coupons, each worth \$40, to use for the purchase of

1 analog-to-digital converter boxes is not out of funds.
2 Only approximately half of the \$1.5 billion in the
3 coupon program has been spent on redeemed cou-
4 pons; the other half remains in circulation, which is
5 why there is a waiting list. Under current law, the
6 coupons expire 90 days after issuance if not re-
7 deemed. Approximately 300,000 coupons expire
8 every week, and the recouped funding is used to
9 send more coupons.

10 (3) In a January 14, 2009, letter, the Com-
11 merce Department said that the National Tele-
12 communications and Information Administration
13 could immediately resume sending coupons even be-
14 fore existing ones expire if Congress authorized an-
15 other \$250 million for the program. The Treasury of
16 the United States might even recoup those funds be-
17 cause of unredeemed coupons that expire at the end
18 of the program.

19 (4) Industry has spent more than \$1 billion
20 successfully educating consumers about the transi-
21 tion and the February 17, 2009, transition date. Ac-
22 cording to Nielsen, as of the end of November 2008,
23 approximately 93 percent of television households al-
24 ready had one or more televisions ready for the tran-
25 sition because the televisions had a digital tuner,

1 were connected to cable or satellite service, or were
2 connected to a converter box. Approximately 83 per-
3 cent of television households had all their televisions
4 ready.

5 (5) Only households that rely exclusively on
6 over-the-air antennas to receive television service and
7 that do not have a digital television or a converter
8 box are at risk of losing all television service. Ac-
9 cording to Nielsen, there are approximately 14.3
10 million exclusively over-the-air households. The Na-
11 tional Telecommunications and Information Admin-
12 istration reports that it has already sent coupons to
13 approximately 13.5 million households that identify
14 themselves as relying exclusively on over-the-air an-
15 tennas. Thus, only 800,000 exclusively over-the-air
16 households have not yet received a coupon. Approxi-
17 mately 600,000 of those households are on the wait-
18 ing list to receive a coupon. Authorizing an addi-
19 tional \$250 million for the coupon program should
20 help those households receive coupons before the
21 transition date.

22 (6) Based on these figures, only 200,000 house-
23 holds could lose all service if such households do not
24 take action. Such households represent less than 2
25 percent of exclusively over-the-air households, and

1 less than two-tenths of one percent of all television
2 households. Such a small number of households with
3 the potential to lose service is not reason enough to
4 delay the transition. Government and industry can
5 help households get coupons and converter boxes if
6 such households want them, but a small group will
7 always be unprepared no matter what the govern-
8 ment and industry do. In addition, households can
9 always get a converter box without a coupon, either
10 before or after the transition. The converter boxes
11 only cost \$40 to \$80. Such households have addi-
12 tional options, as well, by which they can receive tel-
13 evision service.

14 **SEC. 2. ADDITIONAL COUPONS.**

15 (a) AMENDMENT.—Section 3005 of the Digital Tele-
16 vision Transition and Public Safety Act of 2005 (Public
17 Law 109–171; 120 Stat. 23) is amended—

18 (1) in subsection (b), by striking
19 “\$1,500,000,000” and inserting “\$1,750,000,000”;
20 and

21 (2) in subsection (c)(3)—

22 (A) in subparagraph (A)(i), by striking “by
23 substituting ‘\$160,000,000’” and inserting “by
24 substituting ‘\$170,000,000’”; and

1 (B) by striking “by substituting
2 ‘\$1,500,000,000’” each place it appears in sub-
3 paragraphs (A)(ii) and (B) and inserting “by
4 substituting ‘\$1,750,000,000’”.

5 (b) CONFORMING AMENDMENT.—Section
6 309(j)(8)(E)(iii) of the Communications Act of 1934 (47
7 U.S.C. 309(j)(8)(E)(iii)) is amended by striking
8 “\$7,363,000,000” and inserting “\$7,113,000,000”.

9 **SEC. 3. EXPEDITING DELIVERY.**

10 Not later than 7 days after the date of enactment
11 of this Act, the Assistant Secretary for Communications
12 and Information of the Department of Commerce shall ex-
13 pedite the distribution of coupons issued under section
14 3005 of the Digital Television Transition and Public Safe-
15 ty Act of 2005 by directing that such coupons shall be
16 delivered via pre-sorted first class mail service until Feb-
17 ruary 17, 2009. The Assistant Secretary shall continue to
18 direct that such coupons be delivered by such service sub-
19 sequent to such date if the Assistant Secretary determines
20 that doing so will significantly improve coupon redemption
21 rates without jeopardizing the availability of administra-
22 tive funds.

1 **SEC. 4. EXTENSION OF 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”.

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