or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STELA REAUTHORIZATION ACT OF 2014

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4572) to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4572

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''STELA Reauthorization Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. NO ADDITIONAL APPROPRIATIONS AUTHORIZED.

No additional funds are authorized to carry out this Act, or the amendments made by this Act. This Act, and the amendments made by this Act, shall be carried out using amounts otherwise authorized or appropriated.

TITLE I—COMMUNICATIONS PROVISIONS

SEC. 101. EXTENSION OF AUTHORITY.

Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking ''December 31, 2014'' and inserting ''December 31, 2019''; and

(2) in paragraph (3)(C), by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2020''.

SEC. 102. RETRANSMISSION CONSENT NEGOTIATIONS.

(a) IN GENERAL.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) prohibit a television broadcast station from coordinating negotiations or negotiating on a joint basis with another television broadcast station in the same local market (as defined in section 122(j) of title 17, United States Code) to grant retransmission consent under this section to a multichannel video programming distributor, unless such stations are directly or indirectly under common de jure control permitted under the regulations of the Commission.''.

(b) MARGIN CORRECTION.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is further amended by moving the margin of clause (iii) 4 ems to the left.

(c) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of the enactment of this Act, the Commission shall promulgate regulations to implement the amendments made by this section.

SEC. 103. DELAYED APPLICATION OF JSA ATTRIBUTION RULE IN CASE OF WAIVER PETITION.

In the case of a party to a joint sales agreement (as defined in Note 2(k) to section 73.3555 of title 47, Code of Federal Regulations) that is in effect on the effective date of the amendment to Note 2(k)(2) to such section made by the Further Notice of Proposed Rulemaking and Report and Order adopted by the Commission on March 31, 2014 (FCC 14–28), and who, not later than 90 days after the date of the enactment of this Act, submits to the Commission a petition for a waiver of the application to such agreement of the rule in such Note 2(k)(2) (as so amended), such party shall not be considered to be in violation of the ownership limitations of such section by reason of the application of such rule to such agreement until the later of—

(1) the date that is 18 months after the date on which the Commission denies such petition; or

(2) December 31, 2016.

SEC. 104. DELETION OR REPOSITIONING OF STATIONS DURING CERTAIN PERIODS.

(a) IN GENERAL.—Section 614(b)(9) of the Communications Act of 1934 (47 U.S.C. 534(b)(9)) is amended by striking the second sentence.

(b) REVISION OF RULES.—Not later than 90 days after the date of the enactment of this Act, the Commission shall revise section 76.1601 of its rules (47 CFR 76.1601) and any note to such section by removing the prohibition against deletion or repositioning of a local commercial television station during a period in which major television ratings services measure the size of audiences of local television stations.

SEC. 105. REPEAL OF INTEGRATION BAN.

(a) NO FORCE OR EFFECT.—The second sentence of section 76.1204(a)(1) of title 47, Code of Federal Regulations, shall have no force or effect after the date of the enactment of this Act.

(b) REMOVAL FROM RULES.—Not later than 180 days after the date of the enactment of this Act, the Commission shall complete all actions necessary to remove the sentence described in subsection (a) from its rules.

SEC. 106. REPORT ON COMMUNICATIONS IMPLICATIONS OF STATUTORY LICENSING MODIFICATIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study that analyzes and evaluates the changes to the carriage requirements currently imposed on multichannel video programming distributors under the Communications Act of 1934 (47 U.S.C. 151 et seq.) and the regulations promulgated by the Commission that would be required or beneficial to consumers, and such other matters as the Comptroller General considers appropriate, if Congress implemented a phase-out of the current statutory licensing requirements set forth under sections 111, 119, and 122 of title 17, United States Code. Among other things, the study shall consider the impact such a phase-out and related changes to carriage requirements would have on consumer prices and access to programming.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report on the results of the study conducted under subsection (a), including any recommendations for legislative or administrative actions. Such report shall also include a discussion of any differences between such results and the results of the study conducted under section 303 of the Satellite Television Extension and Localism Act of 2010 (124 Stat. 1255).

SEC. 107. LOCAL NETWORK CHANNEL BROADCAST REPORTS.

(a) REQUIREMENT.—

(1) IN GENERAL.—On the 270th day after the date of the enactment of this Act, and on each succeeding anniversary of such 270th day, each satellite carrier shall submit an annual report to the Commission setting forth—

(A) each local market in which it—

(i) retransmits signals of 1 or more television broadcast stations with a community of license in that market;

(ii) has commenced providing such signals in the preceding 1-year period; and

(iii) has ceased to provide such signals in the preceding 1-year period; and

(B) detailed information regarding the use and potential use of satellite capacity for the retransmission of local signals in each local market.

(2) TERMINATION.—The requirement under paragraph (1) shall cease after each satellite carrier has submitted 5 reports under such paragraph.

(b) DEFINITIONS.—In this section—

(1) the terms ''local market'' and ''satellite carrier'' have the meaning given such terms in section 339(d) of the Communications Act of 1934 (47 U.S.C. 339(d)); and

(2) the term ''television broadcast station'' has the meaning given such term in section 325(b)(7) of the Communications Act of 1934 (47 U.S.C. 325(b)(7)).

SEC. 108. REPORT ON DESIGNATED MARKET AREAS.

Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to the appropriate congressional committees a report containing an analysis of—

(1) the extent to which consumers in each local market (as defined in section 122(j) of title 17, United States Code) have access to broadcast programming from television broadcast stations (as defined in section 325(b)(7) of the Communications Act of 1934 (47 U.S.C. 325(b)(7))) located outside their local market, including through carriage by cable operators and satellite carriers of signals that are significantly viewed (within the meaning of section 340 of such Act (47 U.S.C. 340)); and

(2) whether there are technologically and economically feasible alternatives to the use of designated market areas (as defined in section 122(j) of title 17, United States Code) to define markets that would provide consumers with more programming options and the potential impact such alternatives could have on localism and on broadcast television locally, regionally, and nationally.

SEC. 109. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Energy and Commerce and the Committee on

the Judiciary of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate.

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

TITLE II—COPYRIGHT PROVISIONS

SEC. 201. REAUTHORIZATION.

Chapter 1 of title 17, United States Code, is amended—

(1) in section 111(d)(3)—

(A) in the matter preceding subparagraph (A), by striking ''clause'' and inserting ''paragraph''; and

(B) in subparagraph (B), by striking ''clause'' and inserting ''paragraph''; and

(2) in section 119—

(A) in subsection (c)(1)(E), by striking ''2014'' and inserting ''2019''; and

(B) in subsection (e), by striking ''2014'' and inserting ''2019''.

SEC. 202. TERMINATION OF LICENSE.

(a) IN GENERAL.—Section 119 of title 17, United States Code, as amended in section 201, is amended by adding at the end the following:

''(h) TERMINATION OF LICENSE.—This section shall cease to be effective on December 31, 2019.''.

(b) CONFORMING AMENDMENT.—Section 107(a) of the Satellite Television Extension and Localism Act of 2010 (17 U.S.C. 119 note) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Vermont (Mr. WELCH) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Today, we are offering a bill that will ensure that 1.5 million subscribers in hard-to-reach areas, including many in my home State of Oregon, will continue to receive vital news and information through the television. The STELA Reauthorization Act extends the copyright and retransmission consent provisions for distant signals retransmitted by commercial satellite providers for 5 years.

Our committee has worked hard on this bill. We have engaged members of industry and consumer groups, and we have talked about the difficult policy matters that affect all consumers when it comes to video programming. Every member of our committee, on both sides of the aisle, has engaged with industry and consumers to figure out the right policy and to get to the right outcome, which we bring to you today.

Our bill not only reauthorizes the compulsory copyright and retransmission exemption for 5 years, but it also targets and, in some areas, gives much-needed reforms to our communications law.

Specifically, this bill repeals the FCC's integration ban on cable-leased set-top boxes. That clears the way for innovation and investment by lifting an unnecessary regulatory burden that has cost the cable industry and its consumers who pay the $1 billion—$1 billion, Mr. Speaker—since 2007.

I especially want to thank my friend, the extraordinary, terrific vice chair of the Telecommunications Subcommittee, Mr. LATTA of Ohio, and my Democratic colleague from Texas, GENE GREEN, who brought this issue to our attention and helped us in this bipartisan lift to get rid of the integration ban.

Our bill also evens the playing field for cable operators and broadcasters during sweeps weeks by removing a government restriction on cable's ability to drop broadcast signals during the Nielsen sweeps.

Additionally, broadcast stations in a single market will no longer be able to negotiate jointly with pay-TV providers. Pay-TV subscribers will no longer have to worry about losing more than one signal should a programming distributor be unable to reach its retransmission consent agreement with a broadcast station.

These can be very contentious matters, Mr. Speaker. I am proud to say that the STELA Reauthorization Act is yet another example of working together, getting true bipartisanship, with support from all sectors of the communications industry.

This type of collaboration has long been the hallmark of our subcommittee and full committee, and I am pleased to see this legislative result. I can only urge the Senate to act swiftly and pass this bill into law before the end of the year.

I yield back the balance of my time.

Mr. WELCH. Mr. Speaker, I yield myself such time as I may consume.

Today, Mr. Speaker, I rise in support of H.R. 4572, the STELA Reauthorization Act, a bill that allows satellite providers to continue to offer broadcast television programming to their subscribers.

Americans across the country will benefit from reauthorizing the expiring communications and copyright statute that allows satellite customers to have access to broadcast content, but it particularly benefits rural communities, a concern of many of us in this body. Folks from Vermont are going to benefit by this. They rely heavily on satellite for access to video programming.

The STELA Reauthorization Act is the work product of two committees, the Energy and Commerce Committee and the Judiciary Committee. Because of the bill's complexity, both substantively and procedurally, the Communications and Technology Subcommittee held a series of hearings starting early last year to examine the various issues affecting our Nation's ever-evolving video marketplace. As a result, H.R. 4572 includes several targeted provisions designed to improve regulatory parity in the video marketplace.

One, the bill prohibits two noncommonly owned broadcasters from jointly negotiating for retransmission consent with cable and satellite companies.

Two, the bill also includes a compromise on the deadline for broadcasters to unwind certain joint sales agreements in an attempt to keep intact the FCC's local broadcast ownership rules.

The final provision we are voting on today strengthens the waiver process both for the broadcasters seeking to maintain their joint sales agreements, as well as for the FCC looking to streamline waiver applications.

In addition, the bill eliminates the FCC's integration ban for cable set-top boxes, a rule that was designed to help promote a retail market for cable set-top boxes that regrettably is not working as intended.

To allow independent manufacturers of set-top boxes a chance to compete, the FCC requires both cable companies and third-party set-top box manufacturers to rely on the same piece of technology to decrypt their signals, called the CableCARD.

Not only has this regime not resulted in the kind of competition Congress envisioned, energy experts told us that the CableCARD actually creates significant energy inefficiencies. So our bill takes this rule off the books, but does not place any forward-looking restrictions on the FCC's authority to continue to promote retail competition for set-top boxes.

These narrow changes only begin to scratch the surface of the broken video marketplace. In my view, Congress should revisit the entire video regime and update the corresponding laws to better represent the 21st century marketplace, to drive competition, and, most importantly, to provide more benefits to consumers.

The various stakeholders, from distributors to programmers to broadcasters and content providers, have all been able to reap financial rewards, as they should, in this video marketplace, but my concern and the concern of many of us is that the consumer has been left out of the equation.

They have paid, on average, twice the rate of inflation annually for cable over the past 20 years. I understand there are a lot of costs that go into the overall rate to consumers, but it is time for the consumers' concerns to be heard and responded to.

I want to thank Chairman UPTON and Chairman WALDEN for working with Ranking Members WAXMAN and ESHOO and Democrats—thank you, gentlemen—on the bipartisan compromise on this bill.

I urge my colleagues to support the passage of this bill today, but I do hope that this is only the beginning, and we can work together on a more comprehensive bill to address the broken aspects of the video marketplace.

I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I ask unanimous consent to reclaim my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, with that, I yield to the distinguished gentleman from Michigan (Mr. UPTON), the leader of our Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, the STELA Reauthorization Act is a very important piece of must-pass legislation that ensures that millions of satellite TV subscribers continue to receive broadcast TV programming from their chosen satellite provider.

The bill represents the best of what our committee does—work together to produce a bipartisan bill that does indeed strengthen our economy and streamline our laws for the innovation age.

In addition to extending the laws that permit satellite providers to bring broadcast signals to hard-to-reach customers, the bill also makes targeted reforms to our Nation's woefully outdated communications laws.

As our committee prepares for an updated Communications Act, these reforms are small examples of some of the deregulatory changes that we can make to spur investment and communications networks and promote competition.

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The bill eliminates the costly cableCARD integration ban that has increased the cost of cable-leased set-top boxes and made them less energy efficient, evens the playing field for cable and satellite providers when it comes to protecting broadcast signals during Nielsen sweeps, brings fairness to retransmission consent negotiations by barring broadcast stations from jointly negotiating with programing distributors, and ensures that broadcasters who have had their business models upended by recent FCC actions indeed have adequate time to make the changes necessary to comply with the new rules.

This bill is good policy, and we hope that the Senate will take quick action to enact this must-pass law for the millions depending on satellite television.

I want to particularly thank Subcommittee on Communications and Technology Chairman WALDEN from Oregon, Ranking Members HENRY WAXMAN and ANNA ESHOO, and our respective staffs for their bipartisan work from the start on this very important legislation.

I am proud of this product. As we work toward the Comm Act update to modernize our Nation's communications law for the innovation era, continued cooperation will be very critical to our success. I urge my colleagues to support this bill.

Mr. WALDEN. I reserve the balance of my time.

Mr. WELCH. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the Judiciary Committee.

Mr. CONYERS. I thank the gentleman for his generosity.

Mr. Speaker, I, like my colleague from New York (Mr. NADLER), rise in support of this bipartisan legislation for several reasons.

To begin with, section 119 of the Copyright Act expires on December 31. It is particularly important for unserved households, namely, customers who can't receive an over-the-air-signal of a local network. Thus, if Congress fails to act, millions of Americans stand to lose access to their broadcast television service.

H.R. 4572 responds to this problem, in pertinent part, by extending for 5 years the section 119 license authorization, thereby ensuring continued service to millions of Americans.

The other reason that I support this bill is that it is a good example of how Congress can work on a bipartisan basis and produce legislation offering effective solutions.

There are many issues regarding the relationship between broadcast television stations and distributors that would benefit from similar efforts by stakeholders working together to see if consensus can be obtained. In particular, I have long argued that content creators should be compensated appropriately for their works. Negotiations in the free market can often best ensure that artists and content creators are fairly compensated. In some cases, we have seen consumers pulled into the middle of such negotiations. No one wants this to happen. It is not good for consumers, nor is it good for the parties involved.

Finally, this legislation comports with two important guiding principles: consumers should be protected, and competition should be safeguarded.

All of us consumers benefit from increased competition because it typically facilitates lower prices, while also generating more innovation, variety, and options. Consumers want the flexibility to watch programming on their choice of television sets, phones, and tablets, no matter where they are.

We should also recognize that many consumers very much value local news and sports programming and the need for local channels to deliver community service and emergency information. Thus, we should continue to consider ways to increase programming options for subscribers to cable or satellite television.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WELCH. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. CONYERS. Accordingly, I urge my colleagues to support the bill.

Mr. WALDEN. Mr. Speaker, I am honored to yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the House Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, this afternoon, the House is considering joint Judiciary and Energy and Commerce Committee legislation to ensure that our rural constituents continue to have access to network channels on America's two satellite carriers.

Title II of the legislation extends the expiring section 119 copyright license for another 5 years, as this committee has done on previous occasions, most recently in 2010. This license ensures that when our constituents do not have access to a full complement of local network television stations, they can have access, through satellite television carriers, to distant network television stations. This helps ensure that consumers in rural areas, like my congressional district, have the same access to news and entertainment options that consumers in urban areas enjoy.

Without enactment of this legislation, many of our constituents would potentially lose access to certain networks altogether on December 31 when the current license expires. I would like to point out that, although numerous stakeholders interested in video issues have contacted the Judiciary Committee on a variety of issues, they all agree that this license should not expire at the end of this year.

Other issues of interest in this area will be the subject of further discussions as the Judiciary Committee continues its ongoing review of our Nation's copyright laws.

I want to express my appreciation to the chairman of the Energy and Commerce Committee, Mr. UPTON, and the chairman of the Telecommunications Subcommittee, Mr. WALDEN, for their efforts on this reauthorization as well, and I look forward to continuing to work with them on this issue that is important to all of our constituents.

Mr. WELCH. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a member of the Judiciary Committee.

Mr. NADLER. Mr. Speaker, I rise in support of H.R. 4572, the STELA Reauthorization Act of 2014, as amended, which renews for another 5 years the statutory license that allows satellite providers to retransmit distance signals into a local broadcast area in certain circumstances.

The satellite distant-into-local license contained in section 119 of the Copyright Act is set to expire on December 31 of this year. Among other things, that license allows satellite carriers to provide an out-of-market station to customers who are not served by local television broadcasts.

Enacted in 1988 when the satellite industry was in its infancy, the section 119 license was intended to foster competition with the cable industry and also to increase service to unserved households, those subscribers who cannot receive an over-the-air signal of a local network. In 2010, as was the case on three prior occasions, Congress extended the section 119 license for another 5 years.

In granting cable and satellite providers the statutory right to retransmit copyrighted content at a government-regulated rate, Congress created an exception to the general rule that creators have exclusive rights to their works, including the right to determine when and how to distribute them.

This licensing system replaces the free market, something that we are generally reluctant to do. When we did so for cable and satellite providers, these industries were just starting up and the licenses were intended to encourage growth, foster competition, and enhance consumer access.

On these fronts, the system has been a tremendous success. It is estimated that nearly 90 percent of American households now subscribe to a pay-TV service provided by multichannel video programming distributors, in most cases, cable or satellite operators. Nearly all households have a choice of at least three different providers.

Nonetheless, the dramatic recent changes in marketplace dynamics, as well as technological advantages that revolutionize ways of distributing video content, raise legitimate questions about whether the statutory licensing system in the Copyright Act is still needed or should be changed.

I support this 5-year reauthorization of the section 119 distant-into-local satellite license. We still need answers as to how many households would actually lose one or more of the four major network channels if section 119 were not renewed. I, nonetheless, support this 5-year reauthorization because it will ensure that consumers who are receiving service by virtue of the section 119 license retain that service when the agreements providing for that service expire at the end of the year.

I hope we use the time afforded by this renewal to make the modifications to see if we have to keep the statutory license and keep away from the free market or modify the statutory license in the future. For the time being, we ought to extend it and renew this license now.

I, therefore, urge my colleagues to join me in voting for H.R. 4572.

Mr. WALDEN. I thank the gentleman for his comments.

Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Ohio (Mr. LATTA), the vice chair of the Subcommittee on Communications and Technology.

Mr. LATTA. I thank the gentleman, the chairman of the subcommittee, for yielding.

Mr. Speaker, I rise today in support of H.R. 4572, the STELA Reauthorization Act.

For the last several months, Members of Congress have been earnestly engaged in collaborative discussions and a great deal of work regarding the reauthorization of the Satellite Television Extension and Localism Act. This must-pass legislation is key to ensuring that over 1.5 million consumers of satellite television service do not lose access to programming they rely on when the current measure is set to expire at the end of this year.

Through Chairmen UPTON'S and WALDEN'S thoughtful leadership, the STELA Reauthorization Act also includes a few discrete and narrow reforms to laws governing the video marketplace. These reforms represent a critical step forward in modernizing our communications laws to reflect the rapidly evolving, dynamic, and competitive communications marketplace we have today.

I am especially pleased that a provision from my bipartisan bill, H.R. 3196, with Congressman GENE GREEN was included in this measure to eliminate the current set-top box integration ban. Repealing this outmoded technological mandate will foster greater investment and innovation in the set-top box market but, more importantly, will help decrease the cost of delivery to consumers.

Since the FCC adopted the integration ban, we have seen a tremendous amount of progress and competition in the video marketplace organically developed outside the set-top box retail market, all absent government regulation. Now, given the myriad devices and means through which consumers can access video content, the integration ban is an unnecessary regulation that does not reflect the state of competition, technological advancements, or consumer demands of today.

The elimination of the integration ban, along with the few other targeted reforms included in STELA, underscores the bipartisan commitment to ensuring that our communication laws maximize the potential for investment, innovation, and consumer choice.

I once again commend Chairmen UPTON and WALDEN for their leadership in this effort.

Our priority in reauthorizing STELA has long been to ensure a continuity of service for satellite subscribers, and today's vote marks a critical step toward fulfilling that responsibility.

I urge my colleagues to vote ''yes'' and support this bipartisan legislation.

Mr. WELCH. Mr. Speaker, I congratulate Mr. LATTA and Mr. GREEN for their very good work in making a good bill better. I want to also salute Mr. UPTON and Mr. WALDEN for their good work, working closely in partnership with Mr. WAXMAN and Ms. ESHOO.

We have no further speakers, so I urge a ''yes'' vote on this bill, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I want to thank the gentleman from Vermont for his kind words and his good work on this legislation. Certainly, I recognize our counterparts on the Democratic side, Mr. WAXMAN and Ms. ESHOO, who have worked tirelessly on this bill, as well as their staff: Shawn Chang, Margaret McCarthy, and David Grossman. Also, our staff, David Redl; my senior policy adviser, Ray Baum; and Grace Koh, all of whom have spent a lot of time working this through.

It seems interesting that we get to this point and it kind of goes naturally, but there is a lot of work that went in to getting it to this point. So I thank our staff and the Members who worked with us in a very good-spirited way.

With that, Mr. Speaker, I urge the House to approve this bill, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 4572, the STELA Reauthorization Act of 2014.

Seventeen months ago, the Subcommittee on Communications and Technology embarked on a process to reauthorize the Satellite Television Extension and Localism Act of 2010 (STELA), a law ensuring that approximately 1.5 million satellite subscribers can continue accessing broadcast television signals. By reauthorizing STELA for a period of five years, H.R. 4572 ensures that these mostly rural households do not lose access to broadcast programming when the statute expires on December 31, 2014.

H.R. 4572 also offers several meaningful reforms to the video marketplace. First, the legislation ensures broadcasters cannot team up against pay-TV providers for leverage during retransmission consent negotiations. As retrans revenue is projected to rise to an estimated $7.6 billion by 2019, this provision is an important step toward rebalancing the playing field and ultimately protecting consumers from unacceptable blackouts and increased rates.

Second, the bill eliminates a provision dating back to the 1992 Cable Act which has prevented a cable operator from dropping a broadcast signal during a Nielsen ratings ''sweeps week.'' With no such prohibition for a broadcaster that pulls their signal during a retrans dispute, H.R. 4572 creates regulatory parity and ensures a more level playing field for cable operators and broadcasters.

Finally, while I support provisions intended to modernize the video marketplace, I continue to have deep concerns about repealing the cable set-top box integration ban prior to the industry-wide adoption of a successor to the CableCARD. With an eye to the future, we can fulfill a goal I set out to achieve nearly 20 years ago and that is to give consumers an alternative to renting a set-top box from their local cable company each month.

I thank Chairman UPTON and Chairman WALDEN for their leadership in bringing H.R. 4572 to the House floor and I urge my colleagues to join me in supporting this important legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 4572, the STELA Reauthorization Act.

The Energy and Commerce Committee worked several months to put together this bipartisan legislation that will reauthorize the Satellite Television Extension and Localism Act through the end of this decade. It is necessary that the House and Senate reauthorize STELA, which governs our nation's retransmission regulations, before it expires at the end of this year.

Included in this bipartisan bill is language that closely resembles legislation that I introduced with my Republican colleague, Rep. BOB LATTA, that will repeal the FCC's integration ban.

Once enacted, this provision will end the burdensome integration ban, which has cost

consumers and businesses over $1 billion since 2007 and has impeded innovation and energy efficiency.

Section 6 of this legislation is a surgical approach that will end this antiquated tech mandate while preserving FCC's authority in the retail set-top box market.

I ask my colleagues on both sides of the aisle to support H.R. 4572 today. It balances the needs of competing stakeholders and most importantly, protecting what's in the best interest of the American people, while reauthorizing must-pass legislation and waiting for a more appropriate vehicle to address our nation's retransmission consent laws and regulations.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak on the STELA.

First, I would like to thank Chairman COBLE and Ranking Member NADLER for holding two Judiciary Committee hearings in the past year where we have examined the laws in the satellite television arena in Title 17 of the United States Code (U.S.C.), and related issues.

The relevant part of STELA expires at the end of the year but I am sure that those in the industry would have us do something before then and preferably before the lame duck session after November.

I would note the inclusion of a provision in this bill which some consumer groups find objectionable because it repeals the integration ban which deprives consumers of choice. This is from the Energy and Commerce Committee—though hopefully it will be worked out before the President signs—because consumers must not be deprived of choices.

And now that the Supreme Court has decided the Aereo case, we have another set of variables on the table.

I mention the Aereo case because it is the seminal case due to its timing but it also reminds us of how ephemeral our work can be in this Committee and this Congress.

Back in 1992 and through all of the other reauthorizations of STELA and the concurrent surge of innovation from the late 1990's until present day—who could have contemplated the existence of an Aereo, HULU, Netflix, or Pandora?

In doing so we are able to take a walk down the memory lane of analog and digital television, the role of cable and satellite providers, vis-à-vis their network partners.

It is useful to note that in the 18th Congressional District my constituents are able to avail themselves of DISH, Comcast, ATT, and even Phonoscope which I believe is one of the oldest in the nation and a Houston, Texas company since 1953.

In looking at these laws, we must note the role of the Copyright Office which released a widely-read report on the Satellite Television Extension and Localism Act in August 2011 as ordered by the last reauthorization, and the GAO report which focused on consumer issues.

Americans from Houston, Texas, Chicago, New York, the Bay Area, and all across this great nation benefit from a broadcast system which consists of the laws which undergird the system, buffeted by the policy and practices by which transmitters, providers, artists, writers, musicians, and other creators of all stripes benefit.

The system stands on principles of balance and fairness which allow for continued innovation while not infringing on the property rights of others.

In my state, I see satellite dishes in urban and rural areas but it seems like a higher percentage of rural homes have DISH or DIRECTV than in the cities and towns. Is that an accurate observation and if so, why?

What is the justification for a 30 foot outdoor rooftop antenna being the standard for measuring whether a home can get a broadcaster over-the-air signal?

Who has 30 foot antennas on their rooftops these days? Can folks even go out and buy those and install them easily?

Shouldn't the standard reflect the consumer realities and be changed to a regular indoor antenna that can be picked up at most electronics stores?

What are the criteria for a household to be considered 'unserved'? Does the current definition of unserved households adequately account for those homes that do not receive over-the-air signals?

This will be the 6th reauthorization of STELA but to my knowledge there has never before been a discussion of these blackouts, because they simply didn't happen in the past like they do today. We've gone from zero blackouts to 12 in 2010 and now 127 in 2013.

Viewers in my state have experienced their fair share of blackouts and I stand with them in saying: we don't like them.

We must all agree that blackouts must stop.

The statutory framework for the retransmission of broadcast television signals has been based on a distinction between local and distant signals.

The signals of significantly viewed stations and the signals of in-state, out-of-market stations in the four states that satellite operators were allowed to import into orphan counties under the exceptions in SHVERA, originate outside the market into which they are imported; in that regard, they are distant signals and they have been subject to the Section 119 distant signal statutory copyright license.

Since significantly viewed stations and the "exception" stations can be presumed to be providing programming of local or state-wide interest to counties in particular local markets, arguably that content could be viewed as local to the counties into which they are imported and should be treated accordingly.

STELA modified the Copyright Act to treat those signals as local, moving the relevant provisions from Section 119 to Section 122.

If a broadcaster opts to negotiate a retransmission consent agreement, cable companies are no longer required to broadcast that signal pursuant to the must-carry requirement. Furthermore, if negotiations for retransmission consent fail, cable companies are not permitted to retransmit the broadcast signals that they have not been granted a license to retransmit. This is precisely what has happened in the dispute between Time Warner Cable and CBS Broadcasting.

My concern is that when retransmission consent negotiations fail, consumers often look to the Federal Communications Commission (FCC) to mediate the dispute. However, the FCC actually has very little authority over retransmission consent negotiations. The Communications Act requires that programming be offered on a non-discriminatory basis, and that the negotiations be conducted in good faith.

The FCC has the authority to enforce both of these requirements, but does not appear to have the authority to force the companies to reach an agreement, or the ability to order the companies to continue to provide programming to consumers who have lost access while the dispute is being resolved. Therefore, as was seen in the debacle that was the TWC-CBS negotiation, unless negotiations are not occurring in "good faith" the FCC has little power over retransmission consent agreements.

STELA clarified that a significantly viewed signal may only be provided in high definition format if the satellite carrier is passing through all of the high definition programming of the corresponding local station in high definition format as well; if the local station is not providing programming in high definition format, then the satellite operator is not restricted from providing the significantly viewed station's signal in high definition format.

Studying What the Impact Would Be If the Statutory Licensing System for Satellite and Cable Retransmission of Distant Broadcast Signals Were Eliminated

The United States Copyright Office has proposed that Congress abolish Sections 111 and 119 of the Copyright Law, arguing that the statutory licensing systems created by these provisions result in lower payments to copyright holders than would be made if compensation were left to market negotiations. According to the Copyright Office, the cable and satellite industries no longer are nascent entities in need of government subsidies, have substantial market power, and are able to negotiate private agreements with copyright owners for programming carried on distant broadcast signals.

Congress must have a role in the broadcasting space but whether that is doing away with compulsory licensing or becoming even more involved is what needs to be discussed.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4572, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.".

A motion to reconsider was laid on the table.

□ 1530

SECURING ENERGY CRITICAL ELEMENTS AND AMERICAN JOBS ACT OF 2014

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1022) to develop an energy critical elements program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows: