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United States Senate

CHARLES E. GRASSLEY

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May 23, 2016

The Honorable Thomas E. Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

In February 2016, the Federal Communications Commission ("FCC") issued a Notice of Proposed Rulemaking ("NPRM") seeking comment on changes to existing set-top box rules. These changes would require Multichannel Video Programming Distributors ("MVPDs") to deliver to third-party manufacturers selling set-top boxes and suppliers of software, video programming and other information about what programming is available to consumers. The NPRM states that these rules are "intended to assure a competitive market for equipment, including software, that can access multichannel video programming."

I support the goal of greater competition and innovation in the marketplace for how consumers are able to access and watch video programming. That is why I have been heartened to see a flourishing of new technology over the past several years that give consumers greater access to content on a growing array of devices. However, I am concerned that this proposed rulemaking would replace marketplace solutions with greater government regulation. Further, there are significant concerns as to how the FCC's proposal affects important consumer privacy and copyright interests.

Under federal law, MVPDs must keep subscribers' viewing habits private, abide by advertising limits during children's programming, and build devices that display emergency alerts, closed captioning, and parental controls. These privacy protections are important to my constituents and others around the country. It remains unclear how these important consumer protections will be extended under this proposal in an effective manner.

Committee Assignments:

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Further, existing copyright protections have encouraged a vibrant, creative climate which has led to more interesting and greater quality television content for consumers. There are concerns that the proposed regulations will harm creators and impede innovation thereby ultimately hurting viewers. Additionally, it is important that this proposed rulemaking not disproportionately affect rural providers and consumers.

Achieving greater competition in the set-top box marketplace is a valid goal but it must not come at the expense of important consumer protections, market-based competition, or America's creators and innovators.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Grassley". The signature is written in dark ink and is positioned above a horizontal line.

Charles E. Grassley
Chairman

United States Senate Committee on the Judiciary

cc: Commissioner Mignon Clyburn
Commissioner Michael O'Reilly
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel