



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

June 10, 2014

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Bruce W. Starr
*Senator
Oregon
President, NCSL*

Thomas W. Wright
*Chief of Staff to Speaker
Alaska
Staff Chair, NCSL*

William T. Pound
Executive Director

Dear Chairman Wheeler:

On behalf of the National Conference of State Legislatures (NCSL), we write to express opposition to the Commission's proposal to eliminate the Sports Blackout Rule. NCSL is the bipartisan national organization that represents the legislatures of our nation's 50 states, its commonwealths and territories.

In our view, the NFL's stadium policies and the Commission's current broadcast rules work cooperatively to serve the interests of states as well as the public by promoting economic activity, civic pride and the broadcast of professional football on free, over-the-air television.

The current broadcast rule facilitates the enforcement of the NFL's policies that promote game attendance and the in-stadium experience. These league policies not only result in sold out games, but also generate economic activity in and surrounding stadiums and beyond. These venues often are built or renovated with substantial investment from the public-sector, including states and their political subdivisions. In fact, since 1992, public funds have helped to construct or modernize 29 of the NFL's 32 clubs' stadiums throughout the country. Thus, states share a stake in the continued use, success and vitality of sports facilities.

Undoubtedly, communities benefit when hundreds of thousands of fans attend games and the stadiums become hubs of community and business activity. In states throughout the country, major league sports facilities and related infrastructure investment have helped to create jobs, support businesses and generate tax revenue. They are important sources of employment, growth and development, including in previously underserved or underutilized areas. In fact, third-party studies typically estimate that the annual economic impact of an NFL team, including its home stadium, exceeds \$100 million.

Many communities also benefit when NFL games are sold out and shown on free, over-the-air (OTA) broadcast television. A growing number of our constituents, many of whom are low-income and minorities, depend exclusively on free TV for their news and entertainment, including NFL games. In fact, 30% of homes having an annual income under \$30,000 are OTA-reliant. These fans are able to watch their local NFL team's games on free TV virtually all of the time.

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The NFL is the only sports league that makes available all of its games, both regular season and playoffs, on free television. That's a big win for all fans, especially those who are on a fixed income and cannot afford to pay for a subscription service. However, eliminating the Sports Blackout Rule puts the local broadcast model at risk and may cause sports leagues to move sports programming from free, OTA broadcast to pay television. Such a change would be detrimental to many in our communities.

Thus, we urge you to maintain the current broadcast rules that work for the NFL, states across the country, and football fans everywhere. Eliminating these rules would upset a careful balance of interests, potentially depriving OTA-reliant viewers of programming and curbing returns on public-sector investments.

We appreciate the opportunity to express the views of our colleagues across the country. Should you have any questions, please contact James Ward in our Washington, D.C. office at 202-624-8683 or james.ward@ncsl.org

Sincerely,



Senator Bruce Starr
Oregon Senate
NCSL President



Senator Debbie Smith
Nevada Senate
NCSL President-Elect