

**REMARKS OF FCC COMMISSIONER AJIT PAI
ON SPORTS BLACKOUT RULE**

BUFFALO, NEW YORK

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Thank you for that kind introduction, Congressman Higgins! It is an honor to be with you today. And I can't think of a better place to join ranks than here at Anchor Bar, the birthplace of Buffalo wings. Thanks to this grand Buffalo institution for hosting us.

It's great to be back in Western New York. In the early 1970s, my parents emigrated from India to the United States and made Buffalo their first home. Among other things, they noticed a slight change in the weather. Not long thereafter, I was born in Sisters of Charity Hospital.

Now, I can't claim to have personal memories of Buffalo. We moved away when I was about a year and a half old, and I spent most of my childhood in Kansas. But this city will always have a special place in my family's heart.

For instance, my father's first exposure to the National Football League was watching on television as the Buffalo Bills played at Rich Stadium. He became an NFL fan and passed his enthusiasm for the game down to me. I watch football religiously to this day, and I participate in no fewer than three fantasy football leagues—winning one of them last year, I would add, thanks in part to a strong outing by C.J. Spiller against the Patriots.

I've come back to Buffalo this afternoon to talk sports. In particular, I'm here to announce my position on the Federal Communications Commission's sports blackout rule. There's no better place to discuss that topic than the City of No Illusions. This city has a rich sports tradition—the Bills, as you know, remain the only team ever to win four consecutive conference championships—and Buffalo is legendary for its loyal sports fans.

In some places, fair-weather fans find it easy to cheer for the home team. But Buffalonians don't have that luxury. They've suffered their share of disappointments. As one local writer put it earlier this year, "If you are a sports fan in Buffalo, you know the words let-down, heartbreak and emptiness." Brett Hull's triple-overtime goal against the Sabres in Game 6 of the 1999 Stanley Cup. The Braves of the NBA leaving town in 1978 to become the Clippers. And, perhaps most painfully—wide right.

Unfortunately, the heartbreak isn't even limited to the playing field. Over the last four seasons, nine Buffalo Bills home games have been blacked out in Western New York. And that's where the FCC comes in.

Late last year, the FCC announced that it would consider eliminating its sports blackout rule. League blackout policies can prohibit local television broadcast stations from airing games. And if the local stations can't broadcast it, the FCC's blackout rule prohibits cable and satellite companies (within a local blackout zone) from carrying it. This hurts fans who can't go to the game.

The FCC adopted the blackout rule back in 1975. That was an exciting year for the Bills. The team had a winning record and led the league in points scored. In fact, the Bills scored more points that year than any other team would that decade.

But a lot has changed over the course of the last 39 years. For instance, back then, the Bills' starting quarterback was Joe Ferguson. Now, it's E.J. Manuel. Back then, the team's leading rusher was O.J. Simpson. Now, let's just say that he's no longer involved with professional football.

In the wake of the FCC's announcement last year, hundreds of people around the country have given us their opinions on whether the sports blackout rule is necessary today. We've even heard from

Bills fans like James Hondorf, Stacy Kickbush, and Brian O'Donnell. And one of the most persuasive proponents for getting rid of this rule has been Buffalo's own Congressman Brian Higgins. Congressman Higgins has been a champion for sports fans in Buffalo and all across our nation, and I thank him for his leadership on this issue.

To be sure, Congressman Higgins and I don't agree on everything. He backs the Bills. I cheer for the Chiefs. He's a Democrat. I'm a Republican. But there are at least three things that can unite Buffalo and Kansas City partisans and folks of all political stripes. First, there's admiration for Marv Levy, who coached both of our teams with distinction. Second, it has been, is, and always should be the *Buffalo* Bills. And there's also this: The time has come for the FCC to repeal its sports blackout rule.

Why do I say that? After carefully reviewing all of the arguments, I don't believe the government should intervene in the marketplace and help sports leagues enforce their blackout policies. Our job is to serve the *public* interest, not the private interests of team owners.

During my time at the FCC, I have consistently stressed the need to get rid of unnecessary regulations—of rules that have outlived whatever usefulness they once might have had, of rules that keep hard-working American consumers out of the end zone. The sports blackout rule is just such a rule. The FCC shouldn't get involved in handing out special favors or picking winners and losers. And in my view, there is no reason for the FCC to be involved in the sports blackout business.

I realize that eliminating the rule is no silver bullet. Even without the FCC's blessing, there could still be dark screens any given Sunday. So I can't promise Buffalo residents that they'll be able to watch all Bills games on television if we get rid of the rule. But that's no excuse for keeping it on the books.

Right now, the FCC is officially on the side of blackouts. We should be on the side of sports fans like Jon Neubauer, who told WIVB News 4 "I can't make it to every single [Bills] game, [but] I'm still a huge fan." I want the FCC to help fans like him watch the stars of tomorrow: the next Andre Reed, who was just inducted into the Hall of Fame (and who has stood up for Buffalo of late); the next Thurman Thomas, who made it to five straight Pro Bowls; and the next Jim Kelly, whose brave battle against cancer inspires us even more than all of his on-field heroics.

So this afternoon, I'm asking the FCC to hold an up-or-down vote on ending the sports blackout rule. I hope my fellow FCC Commissioners will join me in voting to eliminate it. And I hope we do that before the rule turns 40 next year, in time for Buffalo fans everywhere to see the Bills play the Chiefs in the AFC Championship game.