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May 7, 2025

The Honorable Ted Cruz
Chair
Committee on Commerce, Science, and
Transportation
United States Senate
Washington, D.C. 20510

The Honorable Brett Guthrie
Chair
Committee on Energy & Commerce
United States House of Representatives
Washington, D.C. 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science, and
Transportation
United States Senate
Washington, D.C. 20510

The Honorable Frank Pallone
Ranking Member
Committee on Energy & Commerce
United States House of Representatives
Washington, D.C. 20510

**RE: National Association of Broadcasters Petition to the Federal Communications
Commission on NEXTGEN TV**

Dear Chairman Cruz, Ranking Member Cantwell, Chairman Guthrie, and Ranking Member Pallone:

The Consumer Technology Association (CTA)¹ urges you to oppose the National Association of Broadcasters' (NAB) [petition](#)² to mandate NEXTGEN TV in all new televisions. Asking the federal government to mandate an Advanced Television Systems Committee (ATSC) 3.0 or NEXTGEN TV tuner in all new televisions would effectively overturn the voluntary and market-driven approach that NAB itself previously supported. This mandate would force Americans to pay for a product broadcasters have not sufficiently promoted, ignores reduced consumer over-the-air (OTA) viewing, and intrudes on the free market. More, it is contrary to the American history of innovation, which prizes consumer choice rather than government requirements for expensive features Americans may not want or cannot afford.

As an American National Standards Institute (ANSI) accredited standards development organization, CTA has played a key role in advancing multiple industry-driven solutions for over a century. From creating airplane mode to privacy for wearable devices, from setting standards that define artificial intelligence to measuring steps, brainwaves and heart beats, we develop voluntary standards to improve American lives and create definable markets for products consumers can understand and use.

¹ CTA is North America's largest technology trade association, representing over 1200 American companies. Our members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs.

² National Association of Broadcasters Petition for Rulemaking, FCC GN Docket No. 16-142, (Filed Feb. 26, 2025) and Public Notice, FCC GN Docket No. 16-142, (Rel. Apr. 7, 2025).

We rarely seek government intervention. When we do, it is to support innovation and is almost always for the greater good, like asking for hearing aids to be sold in retail stores or developing uniform laws allowing business to take place electronically using the Internet. These efforts have made American businesses and consumers among the most successful in the world.

That is why we so vigorously oppose mandates by old technology organizations seeking to use government to bolster sagging markets. NAB and the broadcasting industry have repeatedly failed to embrace and use their immense reach and power to promote new technologies. Instead, they have repeatedly sought to attack and restrict technology companies and impose mandates on others. This 'innovation' strategy seems to rely most heavily on underinvesting in new technologies, not paying creators, and investing in lobbying to force mandates on others. We believe this is inconsistent with a strong, innovation-focused America.

As a matter of policy, CTA does not seek government funding for ourselves or our industry. We do not want to burden the government or consumers and recognize that our industry succeeds when consumers choose to buy our products. Conversely, NAB increasingly asks for government favors, mandates on others, and release from pro-competition ownership caps, while fighting against efforts to require that broadcasters pay artists and musicians.

Development of NEXTGEN TV

In 2017, CTA together with NAB, America's Public Television Stations (APTS), and the AWARN Alliance [jointly petitioned](#) the FCC to permit the voluntary adoption of the NEXTGEN TV transmission standard.³ CTA has actively worked with our [members](#), [broadcasters](#), and other stakeholders to support a smooth transition, including developing consumer-friendly branding for the technology.⁴ In 2019, [CTA spearheaded the creation](#) of the NEXTGEN TV nomenclature and certification logo for ATSC 3.0 compatible devices.⁵ Top brands [currently offer](#) dozens of ATSC 3.0 compliant TVs with the NEXTGEN TV certification logo.

The [Future of Television Initiative](#), a public-private collaboration led by NAB was established to create an orderly roadmap for the ATSC 1.0 to 3.0 transition. Notably, the Initiative's final report [Future of TV Initiative Report](#), submitted to the FCC on January 17, 2025, did not recommend a tuner mandate.⁶ Yet NAB's petition contradicts this position, despite having previously stated "Adoption of a tuner mandate would be counterproductive and unnecessary."⁷ The [FCC Public Notice](#) also seeks comment on this report.

CTA has consistently advocated for a transition to ATSC 3.0 that is voluntary and market-driven, not dictated by unnecessary government mandates. The very foundation of the original industry petition was that manufacturers and broadcasters would have the flexibility to introduce NEXTGEN TV at a pace dictated by market demand.⁸

³ Joint Petition of America's Public Television Stations, The AWARN Alliance, Consumer Technology Association, and National Association of Broadcasters, FCC GN Docket No. 16-142, (Filed May 9, 2017). ("Joint Petition").

⁴ See generally <https://www.cta.tech/Membership/Member-Groups/Video-Division/NEXTGEN-TV>; and <https://www.watchnextgentv.com/>.

⁵ Press Release, CTA, New Industry-Approved "NEXTGEN TV" Name, Logo Will Distinguish ATSC 3.0 Enabled Tech Devices (Sep. 26, 2019), <https://www.cta.tech/press-releases/new-industry-approved-nextgen-tv-name-logo-will-distinguish-atsc-30-enabled-tech-devices>.

⁶ Future of Television Initiative Report at pg. 19

⁷ Joint Petition at pg. 22.

⁸ Press Release, CTA, CTA CEO: Stop NAB's Mandate Madness (Feb. 26, 2025), <https://www.cta.tech/press-releases/cta-ceo-stop-nabs-mandate-madness>.

The extensive public record before the FCC does not support a tuner mandate. Rather, it underscores that the best path forward is one driven by consumer demand and market forces.

Impact of Tuner Mandate on Consumers

Forcing all TV manufacturers to include an ATSC 3.0 tuner – regardless of consumer demand – is an anti-free market and unwelcome tax on consumers. It sets a dangerous precedent, especially when consumers today have a wide variety of options for watching broadcast programming, including through over-the-air (ATSC 1.0), cable, satellite, and online streaming platforms.

More, American consumer demand for over-the-air television viewing is collapsing. An April 2025 study by Horowitz Research found the portion of American homes with access to live TV channels via broadcast antennas sank from 32% in 2020 to 19% in 2025, but NAB's approach would force all consumers to pay more for their TVs. CTA recently found the average price of a 55 inch, 4K resolution, "mini-LED QLED" TV from one nationwide retailer *without ATSC 3.0 tuners* was \$520, while the average price *with ATSC 3.0 tuners* was \$600. Given this sample, in addition to other known factors such as patent licensing costs, consumers are highly likely to pay more if all televisions were mandated to include an ATSC 3.0 tuner.

The government should not be in the business of picking technology winners and losers, especially when doing so imposes unnecessary costs on consumers and stifles innovation. At a time when tariffs on imports of technology products are increasing, this mandate will push higher costs on consumers. More, current FCC leadership has encouraged the identification of outdated rules to eliminate burdensome mandates.⁹ With this Administration prioritizing regulatory reduction, it would be counterproductive to adopt new mandates that decrease flexibility and increase costs.

Conclusion

We urge you to contact the FCC and suggest they oppose NAB's petition to force a government-mandated technology on all American consumers.

Sincerely,



Gary Shapiro
CEO and Vice Chair
Consumer Technology Association

Enclosure

cc:
Senate Commerce Committee Subcommittee on Telecommunications and Media
House Energy & Commerce Committee Subcommittee on Communications and Technology

⁹ *In Re: Delete, Delete, Delete*, FCC Public Notice, GN Docket No. 25-133 (Rel. Mar. 12, 2025).