

Mr. BURR of North Carolina. Mr. Speaker, I would like to also thank my colleagues on the Committee on Commerce and the Committee on the Judiciary for bringing this legislation to the floor. My interest in DBS technology began really last August when I first introduced a local-to-local bill. It appeared to me then as it does now that once the new technologies designed to facilitate transmission of local TV signals to their local markets are up and running, satellite television will provide a swift and viable competition to cable television. This in turn will allow customers to take full advantage of the open multichannel video programming market that is being created with cable deregulation. The bill we have before us today will not only bring this much needed competition to the market but it will alleviate some of the problems satellite TV viewers are experiencing as a result of the court decisions.

In closing, Mr. Speaker, I again want to thank the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from California (Mr. BERMAN) and the gentleman from North Carolina (Mr. COBLE). I am truly excited about the possibilities that can happen from this piece of legislation. This is truly a piece of legislation written with the American people in mind.

Mr. TAUZIN. Mr. Speaker, I yield myself the balance of my time.

I commend the Speaker pro tempore, first of all, whom I know wanted to speak from the House floor in support of this legislation for his handling of this matter today. I again thank the gentleman from North Carolina (Mr. COBLE) for his excellent cooperation as he has always exhibited with me and the members of our subcommittee and to thank the staff. We sometimes fail to do that. I want to make sure that both the minority staff and the majority staff on both committees are highlighted today because so much of this technical work is their hard work and product. I want to thank them for it. Finally, to join the gentleman from Massachusetts (Mr. MARKEY) in his exhortation that this indeed is a revolutionary moment in video programming. I want to thank all of my colleagues for coming together to make this happen, not for the satellite or cable companies but for the consumers of America because this truly is one of the best consumer protection bills we have passed in a good long while.

Mr. PAUL. Mr. Speaker, today we are faced with an unfortunate and false choice between two evils. The false choice is whether the government should ban voluntary exchange or regulate it—as though these were the only two options. More specifically, today's choice is whether government should continue to maintain its ban on satellite provision of network programming to television consumers or replace that ban by expanding an anti-market, anti-consumer regulatory regime to the entire satellite television industry.

H.R. 1554, the Satellite Copyright, Competition, and Consumer Protection Act of 1999,

the bill before us today, repeals the strict prohibition of local network programming via satellite to local subscribers BUT in so doing is chock full of private sector mandates and bureaucracy expanding provisions. H.R. 1554, for example, requires Satellite carriers to divulge to networks lists of subscribers, expands the current arbitrary, anti-market, government royalty scheme to network broadcast programming, undermines existing contracts between cable companies and network program owners, violates freedom of contract principles, imposes anti-consumer “must-carry” regulations upon satellite service providers, creates new authority for the FCC to “re-map the country” and further empowers the National Telecommunications Information Administration (NTIA) to “study the impact” of this very legislation on rural and small TV markets.

This bill's title includes the word “competition” but ignores the market processes' inherent and fundamental cornerstones of property rights (to include intellectual property rights) and voluntary exchange unfettered by government technocrats. Instead, we have a so-called marketplace fraught with interventionism at every level. Cable companies are granted franchises of monopoly privilege at the local level. Congresses have previously intervened to invalidate exclusive dealings contracts between private parties (cable service providers and program creators), and have most recently assumed the role of price setter—determining prices at which program suppliers must make their programs available to satellite programming service providers under the “compulsory license.”

Unfortunately, this bill expands the government's role to set the so-called just price for satellite programming. This, of course, is inherently impossible outside the market process of voluntary exchange and has, not surprisingly, resulted instead in “competition” among service providers for government favor rather than consumer-benefiting competition inherent to the genuine market.

While it is within the Constitutionally enumerated powers of Congress to “promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,” operating a clearinghouse for the subsequent transfer of such property rights in the name of setting a just price or instilling competition seems not to be an economically prudent nor justifiable action under this enumerated power. This can only be achieved within the market process itself.

I introduced what I believe is the most pro-consumer, competition-friendly legislation to address the current government barrier to competition in television program provision. My bill, the Television Consumer Freedom Act, would repeal federal regulations which interfere with consumers' ability to avail themselves of desired television programming. It repeals that federal prohibition and allows satellite service providers to more freely negotiate with program owners for just the programming desired by satellite service subscribers. Technology is now available by which viewers will be able to view network programs via satellite as presented by their nearest network affiliate. This market-generated technology will remove a major stumbling block to negotiations that should currently be taking place between network program owners and satellite service providers. Additionally, rather than imposing

the burdensome and anti-consumer “must-carry” regulations on satellite service providers to “keep the playing field level,” my bill allows bona fide competition by repealing the must-carry from the already over-regulated cable industry.

Genuine competition is a market process and, in a world of scarce resources, it alone best protects the consumer. It is unfortunate that this bill ignores that option. It is also unfortunate that our only choice with H.R. 1554 is to trade one form of government intervention for another—“ban voluntarily exchange or bureaucratically regulate it?” Unfortunate, indeed.

Mr. HUTCHINSON. Mr. Speaker, I rise today in reluctant support of H.R. 1554, the “Satellite Copyright, Competition, and Consumer Protection Act.” This bill is the first step towards ensuring competition among the different telecommunications providers—including satellite, cable, and broadcasting. Under this bill, satellite companies are no longer banned from retransmitting local network signals back into local markets, providing customers with local news, sports, and entertainment.

Unfortunately, due to cost and a lack of technology, satellite companies are prevented from offering local service or spot beaming signals to all television markets. Assuming the satellite companies will move into the largest and most lucrative markets, rural areas will not benefit from this bill, and will not be able to receive their local networks via their satellite. With few options, satellite customers who live in rural areas will be forced to rely on T.V. top or giant roof top antennas to receive their local programming from the broadcast stations. Though these antennas receive quality signals for some people, I am very concerned about those individuals who live outside of a Grade “A” area or are prevented from receiving their signal for some other reason. Under this bill, this issue is partially addressed by instructing the FCC to determine whether new regulations are needed to gage signal strength. This bill also provides for a speedy review for individuals who contest that they cannot receive an adequate signal by antenna. However, while this bill does establish a moratorium on further signal shut-offs until December 31st of this year, I am concerned about the thousands of individuals in my District who are presently without broadcast television. This bill does not address their plight. While I appreciate the hard work that both the Judiciary and Commerce Committees have done, it is my hope that we can work together with the Senate to devise an equitable solution that will assist these consumer.

Mr. PACKARD. Mr. Speaker, I rise in support of H.R. 1554, the Satellite Home Viewer Act. Satellite television subscribers should have the same rights as cable subscribers when it comes to receiving network broadcast signals.

The Satellite Home Viewer Act will give satellite carriers the right to air local television broadcasts. This is very important to my district, where many citizens have to revert to purchasing a satellite dish for better reception. Without H.R. 1554, many still can't water their local news. They should be allowed to receive local television signals with a dish, just like they can with cable.

H.R. 1554 will provide a discount on copyright fees for network programming. This levels the playing field between satellite and