

do the work of the Secret Service, that provides protection for the president and fights against counterfeiters; that they will continue to provide the money for the Drug-Free Communities Act, so that we will be able to continue the work of the drug war through the Media program; that we will continue to be able to do all of these programs.

But Mr. Speaker, if we recommit this bill tonight, it is dead. We do not have contraceptive coverage. We do not have the good things that the gentleman from Maryland (Mr. HOYER) spoke about earlier in this bill. There is no way we can get that out of the conference committee. My colleague knows that. We have gone over this. We have talked about it. We cannot get it out, so we simply cannot pass the legislation.

Mr. Speaker, I urge my colleagues in the strongest possible terms to reject the motion to recommit. Let us move forward with the bill that is a good bill for the agencies that it funds, a bill that does not have extraneous legislative provisions on it.

Defeat the motion to recommit, pass the conference report tonight, and keep the Treasury-Postal agencies in business.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise in strong opposition to the rule. The Lowey provision within the Treasury-Postal Appropriations bill was passed in both chambers of Congress—twice in the House—and was included in the final conference report. To strip this language now flies in the face of the legislative process.

The vast majority of Federal Employee Health Benefit (FEHB) plans do not cover the full range of prescription contraceptives which prevent unintended pregnancies and 10 percent of the FEHB plans do not even cover any of the five major contraceptives.

The Lowey provision in the Treasury-Postal Appropriations bill simply requires that FEHB plans cover prescription contraception, just as they cover other prescriptions. The FEHB program serves as a model for the nation's private health insurance plans. The FEHB program must cover these basic and essential prescription drugs that can decrease the need and likelihood of abortions in this country. We owe this not only to the millions of women who make more than half this population, but to their families who are trying to be responsible parents.

Eighty-one percent of FEHB plans do not even cover the five leading reversible methods of contraception. Due to various medical conditions, many women do not even have the option of using certain forms of contraception. Women deserve a full and fair choice when it comes to their personal health needs.

Currently, women of reproductive age spend 68% more in out-of-pocket health costs than men. We need to narrow the gender gap in insurance coverage—not widen the disparities between those who have and those who have not, and further expand the chasm that has hurt far too many women and families throughout the country already.

The Lowey provision is a critical, basic necessity that has a "negligible" cost according to the Congressional Budget Office. I urge my colleagues to recognize and respect the legislative process.

And we must vote "no" because the Republicans have also stripped the language providing Haitian refugees the chance to establish legal permanent residence in the United States. This Haitian language would enable an estimated 40,000 Haitians, including about 11,000 paroled into the United States after the military coup in 1991 by the Bush Administration, to adjust to permanent residence status. These Haitians deserve the asylum that has been provided to their Nicaraguan and Cuban counterparts.

Again, I urge my colleagues to vote "no" on this destructive and unjudicious rule.

Mr. CONYERS. Mr. Speaker, this conference report is a shocking disappointment for two reasons: First of all it unjustly strips away well-deserved rights from a small group of Haitians in the United States. The Senate bill included relief for 40,000 Haitians who had arrived in the United States by the end of 1995 by granting them the right to apply for legal permanent residency. These Haitians were paroled in upon the invitation of the attorney general. Due to bipartisan, bicameral support the House receded to the other body.

Now a small minority here in Congress wants to kill this issue. This is totally unacceptable.

Second of all, this conference report deletes the Lowey language which requires that Federal Employees Health Benefits (FEHB) plans cover prescription contraception, just as they cover other kinds of prescriptions. The Lowey Amendment was approved by the full Appropriations Committee, twice by the House, once by the Senate unanimously by voice vote, and was included in the conference report.

The problem is that the vast majority of FEHB plans fail to cover the full range of prescription contraceptives which prevent unintended pregnancy and reduce the need for abortion. In fact, 81% of FEHB plans do not cover all five leading reversible methods of contraception and 10% have no coverage of contraceptives at all. Women of reproductive age spend 68% more in out-of-pocket health costs than men and much of this is due to the cost of contraception—we need to narrow this gender gap in insurance coverage. The federal government needs to provide a model for private health plans by providing this very basic health benefit for women insured by FEHB plans.

I urge my colleagues to reject this conference report.

Mr. KOLBE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. GUTKNECHT). Is the gentleman opposed to the conference report?

Mr. HOYER. Mr. Speaker, in its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOYER moves to recommit the conference report on the bill H.R. 4104 to the committee of conference with instructions to the managers on the part of the House to insist on section 624 of H.R. 4104 dealing with

contraceptive prescription coverage under the Federal Employees Health Benefit Plan.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HOYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Without objection, further proceedings on this motion will be postponed.

There was no objection.

MULTICHANNEL VIDEO COMPETITION AND CONSUMER PROTECTION ACT OF 1998

Mr. TAUZIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2921) to amend the Communications Act of 1934 to require the Federal Communications Commission to conduct an inquiry into the impediments to the development of competition in the market for multichannel video programming distribution, as amended.

The Clerk read as follows:

H.R. 2921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Multichannel Video Competition and Consumer Protection Act of 1998".

SEC. 2. DIRECT-TO-HOME SATELLITE PIRACY PREVENTION.

Section 705(d)(6) of the Communications Act of 1934 (47 U.S.C. 605(d)(6)) is amended by inserting "or direct-to-home satellite services (as defined in section 303(v))" after "satellite cable programming".

SEC. 3. TEMPORARY STAY OF SATELLITE ROYALTY FEE INCREASE.

Notwithstanding any other provision of law, the Copyright Office shall not before December 31, 1999, implement, enforce, collect, or award copyright royalty fees pursuant to the decision of the Librarian of Congress on October 28, 1997, which established a royalty fee of \$0.27 per subscriber per month for the retransmission of distant broadcast signals by satellite carriers, and no obligation or liability for copyright royalty fees shall accrue before December 31, 1999, pursuant to that decision. This section shall not affect implementing, enforcing, collecting, or awarding copyright royalty fees pursuant to the royalty fee structure affected by the decision, as it existed prior to October 28, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, today I am delighted to bring to the floor for Members' consideration H.R. 2921, the Multichannel Video Competition and Consumer Protection Act of 1998. I want to commend the gentleman from Virginia (Chairman BLILEY) for his leadership in bringing this bill to the floor, and my good friend, the gentleman from Massachusetts (Mr. MARKEY), the ranking member, for his kind and gracious support and assistance.

I introduced the bill in November of last year to address the inequitable decision of the Copyright Arbitration Rate Panel to increase the copyright fees that are paid by the direct broadcast satellite providers. This decision has resulted in increased rates for every DBS dish consumer in America.

To date, the bill has garnered 157 cosponsors, representing Members from all parts of our Nation. The bill has substantially bipartisan support because it does the right thing, it protects consumers and promotes competition in the video marketplace.

H.R. 2921 delays the impact of copyright fees that are paid by satellite providers and ultimately by consumers for distant network signals and superstations.

The Librarian of Congress made a decision to raise the rates of satellite services to 27 cents per subscriber for superstation and distant network signals. This rate compares to the rate of 9.7 cents per subscriber for superstations, and 2.7 cents for network signals that cable operators pay.

In effect, the satellite carriers, and thus, their consumers, are currently paying almost 270 percent more than cable for superstations, and 900 percent more for network signals. This enormous disparity in the copyright fees paid for the exact same signals has resulted in major rate increases for consumers, and has hurt the direct broadcast satellite industry's ability to compete with cable.

The bill rolls back these copyright rates paid by the DBS service providers to the rate they were prior to the decision of the court or the Librarian of Congress' panel. This rollback will extend from the period beginning January 1, 1998, until December 31, 1999.

Why are we doing this? We have seen the rapid development of the home satellite industry. Today direct broadcast satellite providers are offering consumers hundreds of programming channels in various packages. In part, these DBS companies have helped to keep cable companies from raising their rates, encourage them to improve their services, and to upgrade their networks.

I do not have to tell Members how all three are seriously important to America's consumers. At a time when we need more, not less, competition in the

video marketplace, we should not be burdening the DBS industry and its consumers with unnecessary and arbitrary additional costs.

According to the Bureau of Labor Statistics, cable rates have risen three times faster than the rate of inflation since the Telecommunications Act of 1996 was passed. As we approach March 31, 1999, next year, when pursuant to that act cable will be deregulated, it is becoming increasingly clear that Congress has to consider legislation to further promote competition for the cable industry.

I find it far preferable to promote true and meaningful competition for cable, and thus to let competitive marketplaces drive the prices down for consumers, than it is for us to constantly regulate. That is why it is so important to pass this bill. This bill declares a time out on the Librarian's decision until we can determine its impact on consumers and the video marketplace.

This is an appropriate and measured response to the CARP panel's decision, and I hope this Congress will move this bill, give us a chance to make sure that next year we have the opportunity to ensure that more competition is available, more choice is available to America's television consumers, so that in fact better prices, better terms, better services become the wave of the future, rather than increase prices in a situation where customers have no other choice but to choose one service provider.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in wholehearted support of this very important legislation, and I rise first to praise the chairman of our subcommittee, which my long observation of him has led to I think the conclusion, not only by me but by everyone who observes this whole area of telecommunications policy, that he is the leading satellite samurai warrior in Congress. He of all Members has led the battle to ensure that the satellite industry will be able to compete and to provide vigorous competition for the cable industry, the product and the pricing that revolutionizes the way in which we receive video in this country.

Now, I give him credit, but I know that the real inspiration is and always has been his father, who is the original satellite philosopher of Cajun country. He instilled a philosophy of competition into the gentleman from Louisiana which I deeply appreciated, and have been educated to appreciate, since we have about the same number of satellite dishes in my congressional district as we have hydroelectric dams. These are phenomenon that we have to have explained to us from Members in other parts of the country.

Now because of the gentleman from Louisiana, we have been able to introduce a revolution, a revolution not of

8-foot dishes that we need a zoning variance to put in our backyards.

□ 1945

Of course that is possible in Iowa or Louisiana, Oklahoma. But not in Boston. Not three-decker homes with 8-foot dishes hanging off the back. That is not going to work.

But the vision was of 18-inch dishes, dishes that could be put between the petunias out in the backyard, hanging off of the back of the three-decker. But to do that requires programming that is available, HBO, ESPN, and programming that is affordable.

Interestingly, and I am sure it comes as somewhat of a mystery to most Members of Congress and without question to most Americans, it is the Library of Congress that determines the price that people pay for this programming. Now, tell me who is going to get that answer on Jeopardy? I do not think so. I think we could put that question up almost every other week and continue to stump people.

So, because of the leadership of the gentleman from Louisiana, we bring legislation today that helps to make it possible for us to ensure that there is a pricing scheme that reflects the fair market.

Now, the Library of Congress says, "We determine what the fair market price is." And, of course, the response that we make is how can they determine that? The cable marketplace is a monopoly. There is no fair market that exists in the cable universe as it exists today.

Now, we hope to reach the point in time where telephone companies and electric companies and multipoint distribution systems from other sources provide competition. But while we are waiting, we have to be very conscious of the fact that we are still devising the mechanism by which this marketplace is competitive.

The legislation which the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Virginia (Mr. BOUCHER), the distinguished member of both the Committee on Commerce and the Committee on the Judiciary, bringing the wisdom of both committees to this process, helped to construct out here on the floor, I think helps us, at least over the next year, to buy the time we need in order to get an honest and fair resolution of this issue.

It is my hope that in the course of this evening, listening to my colleagues who are so wise on these issues from the hollows of southern Virginia to the bayou country in Louisiana, that we can produce a bill tonight that helps to advance the cause of a truly competitive video marketplace.

Mr. Speaker, I reserve the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MARKEY). I have been called a lot of things, but John Belushi or not, but I appreciate

that reference. The fact of the matter, it was my friend from Massachusetts who was there by my side, shoulder to shoulder, battling for the rights of satellite consumers to have the right to programming in this Chamber in 1992 that gave birth to these small dishes. And he did so, as he said, when very few of his consumers relied on satellite reception of television. With so many in Virginia, where the gentleman from Virginia (Mr. BOUCHER), my good friend, lives, and those of us in bayou country, and in Colorado, the State of the gentleman that I am about to introduce, have to rely on satellite signals live.

It is really a credit to the gentleman from Massachusetts that he learned how important it was to folks in rural countries like ours to have satellite television reception. I want to tell my colleagues that he learned that by coming to my home in Chackbay with me where my mother fed him a Cajun meal. And I have often threatened, when he was not with me on a bill, to explain to him what he ate that night and coerce him to join me in an effort. But he has always been there by our side on this issue, and I want to commend him and particularly my friend, the gentleman from Virginia (Mr. BOUCHER), for his help.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. DAN SCHAEFER), another great friend. But I also want to say, Mr. Speaker, how sadly our Committee on Commerce is going to miss not only his friendship, but his service to this country and his incredibly talented and gifted service to the Committee on Commerce. The gentleman from Colorado is not just a close personal friend of all of us on both sides of the aisle, but he has been a great Congressman for his State and country, and we will miss him dearly.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding me this time.

Mr. Speaker, I rise today in strong support of H.R. 2921. This is a situation where a lot of talk has been made about cable television rate increases. Last year, the Federal Communications Commission, the FCC, in a report to Congress found that noncable television programmers, i.e., wireless cable and DBS, continue to experience substantial rates of growth.

However, the FCC report found that noncable television programmers, particularly Direct Broadcast Satellite operators, face several obstacles as they compete for television viewers. One of the most substantial obstacles is the Copyright Office-mandated increase in the copyright royalty fees that multichannel video programming operators pay to retransmit broadcast network and superstation signals to their consumers.

In September of 1997, the Copyright Arbitration Rate Panel increased sat-

ellite broadcasters' rates, as has already been said, from 6 cents per subscriber per month for broadcast network signals and 14 cents per subscriber per month for superstation signals, to 27 cents per subscriber per month for retransmission of both signals. Meanwhile, the statutory prescribed rate for cable transmission remains at 2.7 cents per subscriber per month for network signals and 9.7 cents per subscriber per month for superstation signals.

Mr. Speaker, I cosponsored this particular piece of legislation and am a strong supporter of it because it will roll back the copyright fees paid by satellite broadcasters to its past level. This will give us time to enact other legislation that will promote competition for the consumers in this country in the multichannel video programming industry and give consumers greater choices.

I thank the gentleman from Louisiana for yielding and for this excellent piece of legislation that has been brought out of our committee.

Mr. MARKEY. Mr. Speaker, I yield 3½ minutes to the exceptionally distinguished gentleman from Virginia (Mr. BOUCHER).

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, I want to express appreciation to the gentleman from Massachusetts (Mr. MARKEY) for his leadership on this measure and for yielding this time to me. I also want to thank my friend, the gentleman from Louisiana (Mr. TAUZIN), the chairman of our Subcommittee on Telecommunications, Trade, and Consumer Protection, for his very fine work on this measure. He has contributed substantially to resolving a major problem, and I want to thank him very much for his efforts.

Mr. Speaker, I rise in strong support of this legislation which will remove a major hindrance that exists today to the arrival of viable competition in the multichannel video marketplace.

As Members of Congress, we are hearing complaints every day from our constituents about cable television rates, the high level of those rates at the present time, and the fact that cable television rates are going up faster than the price of most of the products and services in the American economy. In fact, in many communities, cable TV rates are even increasing faster than the price of health care services.

Many of us believe that while some measure of rate regulation may be necessary in the interim period in order to address those problems of rates, over the long-term the right answer, and the best approach to addressing the concerns of ever-increasing cable television rates, is to bring competition into that market and make sure that the consumers of multichannel video services have a choice and have viable alternatives. Many of us also see the satellite industry as being the most

viable immediate competitor for the cable industry.

Unfortunately, the regulation that was issued last year by the Copyright Office in the Library of Congress places a major barrier in the way of the arrival of that competition because it imposes copyright fees for the delivery of material over satellites that are many times greater than the fees imposed upon cable systems for the delivery of exactly the same programming.

In fact, with regard to network signals, the fees will be nine times greater when imposed upon satellite deliverers of this programming than upon cable systems, and with regard to superstation signals, the difference is three times, three times more for the satellite carrier than for the cable company.

This discrepancy also disproportionately affects the rural consumers of satellite services because most of the satellite dishes are found in rural America today. And as a representative of a rural district, that fact has particular resonance with me.

The amount of this charge per year for every consumer of satellite services is about \$20. That is the amount of the increase imposed by the Copyright Office, and so it is not an inconsiderable amount of money.

The legislation before us would impose a freeze on the imposition of these disproportionate and unwise fees until the end of 1999, and that gives us an opportunity here in the Congress to establish a mechanism that will assure that the same fee is imposed upon satellite systems and cable systems and other providers of multichannel video services so that we have fairness, we have balance, and through the copyright fees we do not favor one provider of these services over others.

It is a very wise approach. I commend the gentleman from Louisiana and the gentleman from Massachusetts for bringing the measure forward, and I urge its approval by the House.

Mr. TAUZIN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BURR) from the Committee on Commerce, and a dear friend.

(Mr. BURR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. BURR of North Carolina. Mr. Speaker, I rise today in strong support of H.R. 2921. This legislation delays for 18 months CARP's decision to increase royalties paid by satellite carriers on retransmission of network broadcasts. During this period, we will have time to examine the impact that an increase will have on consumer rates and on competition.

While copyright holders certainly deserve compensation for the use of their signal, rate adjustments should not be used to create competitive disadvantages. By passing this bill, we will help ensure fairness for rural viewers who cannot receive over-the-air broadcast and live in areas not served by cable TV.

I would also like to take this opportunity to add that we could help all satellite subscribers by enacting legislation like my SALSA bill, which allows DBS providers to retransmit local TV stations to their local markets. This will provide a long-term solution to problems highlighted by recent court cases.

In closing, Mr. Speaker, let me urge my colleagues to vote for H.R. 2921, and to continue working on the other outstanding issues facing the satellite TV industry.

Mr. TAUZIN. Mr. Speaker, will the gentleman yield?

Mr. BURR of North Carolina. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Speaker, I simply wanted to commend the gentleman's statement and to pledge to him my continued efforts to see to it that we do pass local-into-local legislation in the next Congress. That will give the satellite providers a chance to offer local signals in that satellite package. That, in essence, would give much more coverage and competition to rural consumers. I will assist in every way to make that happen.

Mr. BURR of North Carolina. Mr. Speaker, reclaiming my time, like this legislation, that would protect consumers, and I look forward to additionally protecting consumers with the gentleman from Louisiana.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just, in conclusion, to compliment the gentleman from Louisiana (Mr. TAUZIN). This is a part of an overall strategy that we have to construct if we are, in fact, going to introduce real competition into the video marketplace.

□ 2000

The cable company remains largely a monopoly in 97 percent of our country. The telephone companies, after promising in the 1996 Telecommunications Act that they were going to, by the year 2000, provide a second wire, second video service in almost every community in America, have pulled back from that commitment. I think that in this satellite area, though, we have a real potential to provide an alternative, not just for rural, not just for the most suburban communities in America, but for urban America.

And I think that in exploring this whole question of whether or not a local television station, here in Washington Channel 4, 5, 7, 9, and 50, can be carried by a satellite and beamed right back into the homes in that viewing area holds the key to whether or not we are going to give consumers, cable consumers, disgruntled, unhappy cable consumers across this country, the ability to just disconnect their cable company and, instead, just subscribe to an 18-inch satellite dish service with the local broadcast stations as well.

I have introduced, with the leadership of the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from

Virginia (Mr. BOUCHER), legislation that we are hoping that we will be able to move in the future that will make that possible. Because I know it is very frustrating to cable consumers across the country to know that if they disconnect their cable and move to satellite today they lose their local broadcast stations. That is frustrating to them because they really do want to disconnect in millions of homes across the country. And working with the gentleman from Louisiana to create a way in which we can get those local stations up on satellite, and to deal with this white area issue, to deal with the issue of who can receive the distant signals, is something that I think is absolutely critical.

I am pledging my continued assistance to the gentleman from Louisiana. I have been his partner now for the past 17 or 18 years on this issue, and I have now become an urban Pioneer.

Mr. TAUZIN. Mr. Speaker, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Louisiana.

Mr. TAUZIN. I think we could be called urban samurais.

Mr. MARKEY. Well, Mr. Speaker, reclaiming my time, I do not know what we would be called there, but I will work with the gentleman to make it possible.

Mr. TAUZIN. Mr. Speaker, if the gentleman will continue to yield, I just want my colleagues to know that the gentleman makes such an important statement. Competition to cable is not real until the local signals are part of the package.

We all know that the local television signals are the part of the television that is watched the most. They are the programs that people most desire in that package. And when they cannot get those local signals from the satellite distributor, they have to receive, instead, long-distance signals.

Now, the awful truth about what the librarian did was to say to satellite consumers that not only are they to be penalized by not having the local signals, but they are going to have to pay more than the cable subscriber for these long-distance signals, just to hit them one more time. That is so unfair.

Getting this straightened out in this bill is important, but my friend makes such a valid point. This is but one of the many pieces of the puzzle we have to solve in order to make sure that consumers in America have real choices in true packages that contain both the local signals and all the other wonderful cable programming that the cable industry rightfully takes great pride in having provided to America.

I pledge to my friend the same partnership we have enjoyed for many years to put all those pieces together.

Mr. MARKEY. Once again reclaiming my time, Mr. Speaker, I would say in conclusion that I am looking forward to working with the gentleman, as his urban and suburban samurai sidekick, in making it possible for us to bring

this revolution to every American in our country.

Mr. Speaker, I yield back the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. STEARNS), another distinguished member of our subcommittee.

Mr. STEARNS. Mr. Speaker, I thank the distinguished chairman for yielding me this time.

I say to my colleagues that we are here, roughly at 8 o'clock at night, and there are not a lot of people on the House floor, but what we are doing this evening is extremely important, particularly for those Americans not just in the suburbs or in the urban areas, but also in rural parts of the United States, which I represent, who have satellites. And they are out there trying to get their picture and they do not realize that this CARP, this Copyright Arbitration Royalty Panel, increased the royalty charge to the satellite companies so tremendously, so egregiously, that it almost put them out of business. So the people in the rural part of the United States, particularly in central Florida, will be impacted tremendously.

It is fundamentally important that this bill that we are here talking about tonight go forward, and the gentleman from Louisiana (Mr. TAUZIN) is doing a whale of a job to make this point. Because what really we are talking about is government increasing the cost of services and eliminating competition. And if we did not have this bill tonight, and we did not put this 18-month moratorium on, then what would happen is the government would increase this and the share of satellite would go down.

In fact, I have here a graph that in 1997 the satellite industry had about 11 percent of the market and they were paying about 22 percent of the distribution fees. One year later, after CARP, this Copyright Arbitration Royalty Panel, increases the fees tremendously, the satellite share is now at 12 percent. Only increased 1 percent, yet their amount of distribution fees went up to 39 percent.

So I mean there is a clear example of government stepping in, increasing the cost, with the help and approval of the Librarian of Congress, as the gentleman mentioned, and so we are going to knock out all competition for satellite. Simply tripling the royalty fees is unfair. It was no gradual matter. It just came in in a whoosh, tripled these royalty fees, and, in the end, people in the rural part of the United States will not be able to afford satellites because the satellite companies will pass these charges on.

So Congress basically has to ensure that the satellite services have a financial foothold in order to make a lasting competitive challenge. Without this bill, without the efforts of the chairman we would not have that opportunity tonight.

We will return next year, as the gentleman from Massachusetts (Mr. MARKEY) mentioned, and pass legislation to allow the satellite customer to get local-to-local service so they can have their local channels beamed directly to their homes. But I am hoping tonight that we can move forward and that the Senate, by unanimous consent, will pass this tomorrow. There is no reason not to. There is no controversy involved here. We should get this passed so that the competition in the satellite industry will increase, and I again commend the chairman for his efforts.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, I thank the gentleman very much for yielding to me.

In the course of the debate I did not properly mention the work that the gentleman from Michigan (Mr. JOHN DINGELL), on our side, and the work also done by the gentleman from Virginia (Mr. TOM BLILEY), on the majority side, to help to formulate this policy, because it has been long in the making. We still have much more work to do, but we could not have done it without their able work, as well as the work of our staffers. We have David Schooler and Andy Levin and Colin Crowell on my staff; and Justin Lilley and Whitney Fox, it is like an all-time all-star team on the gentleman's side, that have worked together to make these policies come to pass.

I just wanted to publicly recognize them for all the excellent work which they have done.

Mr. TAUZIN. Mr. Speaker, reclaiming my time, I thank the gentleman.

Let me indeed indicate that this is but one step. Our staff and our committee, our chairman and our ranking member, are indeed to be commended for taking us down the right path. We have much work to do. I want to pledge to my colleagues as we complete work on this bill that they will hear and see from the gentleman from Massachusetts (Mr. MARKEY) and I again as we approach the date of March next year when cable is set to be deregulated.

We will be presenting, hopefully, for this House to consider, various options on how to make sure competition is really available for the American consumer, who, in many parts of America, is given one choice when it comes to cable, take it or leave it. That is not a good American choice. In a good American marketplace it means various choices, good prices, better service. That is the kind of marketplace the Committee on Commerce is committed to developing for the television consumers of America, and we will not stop until that is done.

Mr. Speaker, would the Chair indicate how much time we have remaining?

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from Lou-

isiana (Mr. TAUZIN) has 4 minutes remaining; the gentleman from Massachusetts (Mr. MARKEY) has yielded his time back.

Mr. TAUZIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON), who is a new member of our committee and doing a great job.

Mrs. WILSON. Mr. Speaker, I rise to support this bill. It is something of an irony that I do, since at my house we do not have cable, we do not have a satellite dish, and we barely have a television. But I like this bill because it seems to delay things until folks can sort out exactly what is fair and what is equitable in order to enhance competition, which is the American way.

I commend my colleague for bringing this forward and the chairman of the committee for bringing it forward to increase competition and to make sure that there is a level playing field for all of those who provide services to our homes.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, when I was going down the litany of saints who helped to make the satellite policy possible, I did forget Hugh Halpern and I forgot to mention Mike O'Rielly. And I think in order for us to have a complete and definitive list of those who labored in the vineyards for this competition in the video marketplace, that they all be listed at this time, and I thank the gentleman for yielding.

Mr. TAUZIN. Reclaiming my time, Mr. Speaker, the gentleman is indeed gracious in remembering all those who helped us so diligently day and night to make this bill come true, and we deeply appreciate that.

Let me say in conclusion that this bill is but one step. I want to make a point that I think all Members of Congress should be aware of, and that is there is nothing in our policy that in any way denigrates from the great work that cable has done in bringing new programming, in bringing extensive and delightful varieties of programming to America. Indeed, we are very grateful for that.

We are simply saying in this policy that for those who decide to receive that programming on a satellite transmission rather than over a cable, or over the air, as in New Orleans, or in Atlanta in a terrestrial air distribution system, those consumers are entitled to equal treatment. We should not be putting copyright fees that are three times and nine times as high on a consumer simply because they choose to receive that wonderful programming one way or another.

Secondly, we are saying that, in the end, this Congress will be faced with the choice of either reregulating cable, because it does not have a competitor, or we will have successfully provided

for Americans the chance to regulate that marketplace by themselves deciding which of the methods of transmission they prefer, whether satellite, terrestrial wireless, or cable, or several cable systems in their community. To me, I hope to all of us, the best solution is to give Americans those choices.

The gentleman from Massachusetts (Mr. MARKEY) and our chairman, the gentleman from Virginia (Mr. BLILEY), and our ranking member, the gentleman from Michigan (Mr. DINGELL), are all committed to making sure that in the end America decides the right way to have more choices and less regulation in this important marketplace.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 2921.

It is important to note that the bill we are considering today is a short-term fix to a greater problem. The greater problem is how do we encourage more competition to cable television so consumers can get more choices and not be held captive to ever-increasing rates? The answer to that question is not simple, and it is one the Commerce Committee continues to grapple with. What is clear, however, is that emerging alternatives to cable, like satellite television, should not be put at a competitive disadvantage to incumbent monopolies. That problem is one that we are attempting to fix, in part, today.

Both cable and satellite television operators are required to pay copyrights royalties fees for the right to carry distant broadcast signals at "superstations." Last year, a ruling by the Librarian of Congress required satellite television operators to pay almost three times the amount of money that cable operators pay—for the same programming. Obviously this is unfair, and flies in the face of Congressional policy to make sure that similar telecommunications services are subject to similar rules and regulations.

This bill would freeze the copyright rates at preexisting levels to that parity continues between these competitors. Of course, the hard question remains: at what level should the rates be set for both cable and satellite television operators when the freeze mandated by this bill expires next December? The answer to that question must be evaluated in the context of several other important issues, such as whether satellite operators should be allowed to transmit local broadcast stations and, if so, whether traditional "must carry" rules should apply.

If we are to achieve the goal of the Telecommunications Act to open up all markets to competition, and free consumers from the tether of cable television monopolies in the process, we must address these issues comprehensively and quickly.

I thank Chairman BLILEY and Subcommittee Chairman TAUZIN for their leadership on the rate freeze issue before us today, and look forward to working with them to resolve these larger competitive concerns next year.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the bill, H.R. 2921, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to promote the competitive viability of direct-to-home satellite television service."

A motion to reconsider was laid on the table.

CORPORAL HAROLD GOMEZ POST OFFICE

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4616) to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the "Corporal Harold Gomez Post Office".

The Clerk read as follows:

H.R. 4616

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States Post Office located at 3813 Main Street in East Chicago, Indiana, shall be known and designated as the "Corporal Harold Gomez Post Office".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the post office referred to in section 1 shall be deemed to be a reference to the "Corporal Harold Gomez Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4616.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have before us, first in this bill and then in another similar proposal that I know will follow, really two distinct stories, two stories of two fine individuals but nevertheless two who share a great deal. They share, it seems to me, the history of contributions and the history of sacrifices and helping to make this country the great place that it is.

This first bill has been introduced by our distinguished colleague from Indiana (Mr. VISCLOSKEY), and was introduced on August 23d of this year.

□ 2015

This legislation has the support of each member of the House delegation from the State of Indiana which is pursuant to the Committee on Government Reform and Oversight rules, and it designates the United States Post Office located at 3813 Main Street in

East Chicago, Indiana, as the Corporal Harold Gomez Post Office.

Mr. Gomez was the son of Mr. and Mrs. Alfredo Gomez. He was born in 1946 in East Chicago, Indiana. After graduating from high school, he worked for a summer at Inland Steel Company and then, like many young men and young women of his age, he enlisted in the Marine Corps in 1965. In March of the following year, 1966, he was sent to Vietnam which followed his basic infantry training in San Diego, California.

Corporal Gomez was a fire team leader in a rifle company of the Third Marine Division when in 1967 he was killed by a land mine explosion in South Vietnam. A look, however brief, at the numerous awards and medals and recognition that this fine young man received during his military career shows, I think, what an extraordinary individual he was: The Purple Heart, the Combat Action Ribbon, the Presidential Unit Citation, the National Defense Service Medal, the Vietnam Service Medal, the RVN Military Merit Medal and on and on and on. Truly, Mr. Speaker, this effort to memorialize the contributions and the sacrifices of this great individual I think is a very worth one and certainly one that I think embodies the kind of positive effort that we have a history of in this House of naming these very important Federal facilities after such deserving individuals.

I know that the gentleman from Illinois (Mr. DAVIS) and perhaps others would like to make comments as well.

At this time I would with a word of urging of support of fellow Members of this House, Mr. Speaker, reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume. I join the gentleman from New York (Mr. MCHUGH) in bringing to the House floor H.R. 4616, legislation naming the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the Corporal Harold Gomez Post Office Building. Corporal Gomez, as we have already heard, a Vietnam veteran, was a fire team leader in a rifle company of the Third Marine Corps during the Vietnam War. He was the recipient of the Silver Star Medal for his leadership and bravery during his service, earning recognition for his actions during the February 21, 1967 battle in which he died.

Corporal Gomez was the first citizen of northwest Indiana to die in the Vietnam War. I commend the Indiana delegation for seeking to honor such a man, one who would give his life in the service of his country.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY) the sponsor of this measure who will make some comments.

Mr. VISCLOSKEY. Mr. Speaker, I appreciate the gentleman yielding and I would first want to thank the chair of the committee for the expeditious,

speed-of-light consideration of this legislation that literally was introduced a month and a half ago as well as thanking my colleague from Illinois for ensuring that it was heard before Congress adjourned. I also would be remiss if I did not thank the members of the Indiana delegation who joined me in this effort.

Mr. Speaker, I do rise to urge my colleagues to support this legislation to rename a post office in East Chicago, Indiana in honor of Lance Corporal Harold Gomez. Corporal Gomez was the first resident of East Chicago to die during the Vietnam War and his community would like to honor him in this special way.

Corporal Gomez was born in East Chicago in 1946. After working briefly at Inland Steel Company, he enlisted in the U.S. Marine Corps and was sent to Vietnam in 1966. Corporal Gomez quickly became a fire team leader in a rifle company of the Third Marine Corps in Vietnam. He was awarded the Silver Star Medal posthumously for valiant leadership and bravery during his service, earning particular praise for his actions during the February 21, 1967 battle in which he died. Corporal Gomez's military awards also include the Purple Heart Medal, Combat Action Ribbon, Presidential Unit Citation, National Defense Service Medal, Vietnam Campaign Medal, and the Rifle Sharpshooters Badge.

In Harold Gomez's short life, he touched many lives and was admired by both friends and colleagues. I am deeply honored to offer this legislation to honor a true hero of northwest Indiana and our country. Corporal Gomez distinguished himself in combat and is a source of inspiration to many citizens of East Chicago and the rest of the northwest Indiana community. He is worthy of this honor.

On behalf of northwest Indiana's many veterans, I am proud to support this legislation to name an East Chicago post office in honor of Corporal Harold Gomez.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, with a final urging of support for the gentleman from Indiana in this very worthy measure and thanking the gentleman from Illinois (Mr. DAVIS) and his staff for their efforts and cooperation, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 4616.

The question was taken.

Mr. MCHUGH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.