United States General Accounting Office

GAO

Congressional Record, 101st Congress, Extension of Remarks

Bill	Date	Page(s)
H.R.4096	Feb 22, 1990 (14)	E360

Remarks: REMARKS BY MR. RITTER

THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RITTER. Mr. Speaker, I rise today to announce my support for the Digital Audio Tape Recorder Act of 1990. Like many of my colleagues on the Energy and Commerce Committee, I think this legislation embodies a fair and appropriate response to a significant advancement in sound recording capability, the digital audio tape [DAT] recorder. In my view, this bill strikes an acceptable balance between many competing interests, including the needs of consumers, manufacturers, and the creative community. Equally important, this legislation sets the stage for the continuing rational discussion of economic rights of hardware and software producers regarding the development of future technologies.

As my colleagues know, this bill addresses an issue that has been the subject of substantial scrutiny and arduous negotiation. In 1987, the recording industry urged legislation that would have kept DAT machines out of the United States until the machines recording capability was limited. With the demise of that legislation, which I personally supported as giving appropriate weight to the United States value-added software producers, Members of both Houses of Congress encouraged the recording and consumer electronic industries to negotiate a compromise amongst themselves, and finally we have that compromise. Now that these two parties have jointly recommended this proposal to us, it is incumbent upon us to act.

In 1989, the worldwide recording industry and audio component manufacturers signed an agreement which recommended legislative action on a technical proposal to limit digital copying of copyright protected material on DAT machines. They agreed to recommend implementation of a standard circuit called the Serial Copy Management System, or SCMS. Under this system, DAT machines can be used for digital-to-digital copying, but will be precluded from making digital copies of copies. The bill I rise today to support as an original cosponsor will incorporate SCMS into every DAT machine manufactured after the effective date of this legislation.

The DAT machine revolutionizes the existing audio taping technology. These machines capture and preserve recordings with very high-quality fidelity. SCMS will prohibit the misuse of this medium to the detriment of our entertainers and our recording industry. The Digital Audio Tape Recorder Act of 1990 is a major step forward in bringing advanced technology into the home of American consumers while respecting the important jobs and economic activity of a major American industry, the recording industry.

I, therefore, urge my colleagues to consider seriously, and support this unique legislative response to one of the most exciting technological advances of our time.