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HOUSE

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ACTION: REMARKS BY MR. KASTENMEIER

SATELLITE HOME VIEWER COPYRIGHT ACT OF 1987

(Mr KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks)

Mr KASTENMEIER Mr Speaker, during the past decade, we have seen the emergence of a new form of television delivery which holds great promise for all Americans, especially those who reside in rural areas The phenomenon to which I refer is home satellite television, a technology that enables virtually every American to receive and enjoy the broadest range of entertainment and educational programming

Currently, home satellite viewers are able to subscribe to and receive network and independent superstation signals However, due to uncertainty under the existing Copyright Act, the ability to continue receiving those signals is threatened

Last year, I, and several of my colleagues introduced legislation to eliminate that uncertainty and ensure continued access to such programming That legislation is H R 2848, the Satellite Home Viewer Copyright Act of 1987 I want to thank Congressman SYNAR, Congressman BOUCHER, and Congressman MOORHEAD for their assistance on this legislation. We believe that the bill is a fair and measured response to this problem, drawing a balance between the needs of home satellite viewers and rights of program copyright holders

The bill creates a statutory licensing system over a 4 year period with copyright royalty rates set at a flat fee of 12 cents per month per subscriber for each superstation signal received During the second 4 years, rates would be set by negotiation and binding arbitration At the end of 8 years, the entire legislative package would be terminated by a sunset provision The bill addresses only the retransmission of signals by satellite carriers and the delivery of those signals to Earth station owners

Not only will H R 2848 assure that all Americans have access to this important programming, but it will also enable the infant home satellite television industry to grow and compete on even terms with other delivery technologies

The subcommittee I chair—the subcommittee on Courts, Civil Liberties and the Administration of Justice—has held 2 days of hearings on H R 2848 The hearing process is now completed, and we are readying ourselves for markup which will occur in the near future

The bill enjoys the support of the Register of Copyrights, Ralph Oman, the Satellite Broadcasting and Communications Association, the National Cable Television Association, NRTC, Turner Broadcasting, the common carriers, Satellite Broadcast Network, Netlink USA, and the Motion Picture Association of America, among others While some issues remain, I am confident that reasonable compromise can be reached and a bill will ultimately pass

I urge my fellow Members to recognize the need for all citizens of our Nation to be assured of access to network, independent, and public broadcasting programming and I call upon them to join me in supporting this important legislation