



FOR IMMEDIATE RELEASE
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C-SPAN STATEMENT REGARDING S.12
Reprinted from the Congressional Record 1/31/92

Washington D.C., February 3, 1992 -- C-SPAN statement regarding legislative proposals affecting C-SPAN and C-SPAN 2.

C-SPAN is opposed to the proposal made during the debate on S.12 that it be singled out among national cable programmers for carriage by systems on a regulated tier of cable service.

The proposal is probably a well-intentioned effort made on C-SPAN's behalf, but it confuses C-SPAN's business status with that of public broadcasters. It is in conflict with C-SPAN's founding business philosophy, and it is at odds with the legislation's own stated goal.

Unlike over-the-air commercial broadcasters and public television stations (whose signals cable operators receive pursuant to a compulsory license), C-SPAN sells its signal to cable operators. Nearly the entirety of C-SPAN's revenues come from affiliation fees, which are supported by freely negotiated contracts spelling out the relationship between C-SPAN and each affiliate. The "regulated tier" proposal places an inappropriate burden on C-SPAN as it seeks new affiliates, and as it maintains relationships with existing affiliates. The broadcasters affected would suffer no such burden with their customers. C-SPAN should not be so burdened.

C-SPAN is a creature of a de-regulated telecommunications marketplace. In 1979 it successfully applied free market, private sector values to public affairs television. Indeed, the network would not exist today were it not for the private cable operators who believed in those principles and now deliver C-SPAN to over 56 million households. Given those roots, and despite the proposal's good intentions toward C-SPAN we do not support it. It is unnecessary government involvement in our business.

Finally, this proposal appears to be directly at odds with S.12's statement of policy which says at Section 3:

"It is the policy of the Congress in this Act to ... promote the availability to the public of a diversity of views and information ... [and to] *rely on the marketplace, to the maximum extent feasible, to achieve that availability ...*" [emphasis supplied].

C-SPAN's success has proved that the marketplace is already working to achieve the legislation's goals. Why change it?

C-SPAN is currently available in 56 million households nationwide and around the world via satellite. C-SPAN is privately funded to serve the public by America's cable television companies.

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Read Tom Saushwick

Gushmen - Fall Grades - Conn. Daily - Mike Beard

sumers—have a right to expect that the Congress will impose regulation to prevent further victimization. Those of us who sought to persuade the Senate to adopt our substitute amendment and other Senators, must keep our eye on the ball. And the ball, in this case, is the well-being of American video consumers, the viewers all across this Nation.

Making the judgment on that basis, I believe just walking away from the situation that exists today with respect to cable would be irresponsible, and would mark a tremendous failure of our Government to address the people's concerns. Some regulation is warranted. Some other interventions in the industry are necessary. And so, albeit with some considerable reluctance and concern, I will vote "yes" on final passage of the committee version of S. 12.

But I tend to be an optimist until no hope is left, Mr. President. In a few moments the Senate will act finally on this legislation, and either kill it or send it to the House for consideration and action there. If, in fact, we pass it and send it to the House, the final form of the legislation will not yet be determined. As any observer of the legislative process knows, a bill can be dramatically altered as it moves through the second of the two houses of Congress. Further, we of the Senate are not yet finished with this bill; we will not have finally spoken today concerning it. Because unless the House passes what the Senate passes in identical form, which is inconceivable in the case of this bill, the bill must return for further Senate action or to a conference committee to resolve the differences. So, indeed, there will be other opportunities to try to fashion the bill more closely to the form that I believe will operate in the best interests of America's video consumers.

I wish to commend the distinguished and fair chairman of the Telecommunications Subcommittee, the senior Senator from Hawaii, the chairman of the full committee, the senior Senator from South Carolina, and the ranking member of the full committee, the senior Senator from Missouri, each of whom has demonstrated his vast knowledge with regard to the cable industry and its impact on our nation, in particular, and the tremendously exciting and burgeoning field of telecommunications, more broadly. Their tenacity and strength are surely admirable, and are primarily responsible for what I fully expect to be final Senate passage of S. 12 in a few moments.

While I am offering commendations, I also wish to mention those of my colleagues who were involved in the effort to devise and promote the substitute amendment, and whom, because of the stiff restraint on debate time prior to the vote on the substitute, I was unable to acknowledge at that time. I commend the senior Senator from Oregon and the senior Senator from Alaska, who led the effort on

the other side of the aisle to devise and promote the substitute presented earlier, and with whom I enjoyed laboring in this effort, and the senior Senator from Colorado with whom I teamed on this side of the aisle. His knowledge of the cable and telecommunications industries is impressive, dating back to the days when he chaired the House Subcommittee on Telecommunications and Finance, and it is always a pleasure to be teamed with a recognized expert. The assistance and contributions of those other Senators who cosponsored the amendment—and the support of those others who voted for it—are also very much appreciated.

Mr. President, I anticipate that considerable hard work remains on this bill before it will be sent in any form to the President for his action. I expect to be involved in that work, and will continue to seek those objectives—paramount among them being the benefit of American consumers—that we sought with our substitute amendment. I look forward to working with Chairman INOUE, ranking member DANFORTH, and Chairman HOLLINGS, with the other proponents of the substitute, and with the very capable staff supporting each of us in these efforts, as this process continues to unfold.

C-SPAN STATEMENT

Mr. D'AMATO. Mr. President, I have been asked by C-SPAN to submit to the Record a statement to clarify their position on S. 12 legislation and I am happy to do so at their request. I ask unanimous consent that the full text of the statement be printed in its entirety at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

C-SPAN STATEMENT REGARDING LEGISLATIVE PROPOSALS AFFECTING C-SPAN AND C-SPAN II

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The proposal is probably a well-intentioned effort made on C-SPAN's behalf, but it confuses C-SPAN's business status with that of public broadcasters. It is in conflict with C-SPAN's founding business philosophy, and it is at odds with the legislation's own stated goal.

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sector values to public affairs television. Indeed, the network would not exist today were it not for the private cable operators who believed in those principles and who now deliver C-SPAN to over 56 million households. Given those roots, and despite the proposal's good intentions toward C-SPAN, we do not support it. It is unnecessary government involvement in our business.

Finally, this proposal appears to be directly at odds with S. 12's statement of policy which says at Section 3:

"It is the policy of the Congress in this Act to . . . promote the availability to the public of a diversity of views and information . . . [and to] rely on the marketplace, to the maximum extent feasible, to achieve that availability . . ." (emphasis supplied).

C-SPAN's success has proved that the marketplace is already working to achieve the legislation's goals. Why change it?

Mr. SPECTER. Mr. President, for reasons expressed in my statement in support of the Packwood substitute, I believe the preferable course would have been to have taken the first step in the regulatory process without the broader provisions of S. 12.

With the defeat of the Packwood substitute, it is my judgment that S. 12 is preferable to no bill at all, so I am voting in favor of final passage.

Given President Bush's announced position on this subject, it is my hope that compromise legislation can be worked out in conference which will provide limited regulation without the broader sweep of regulation provided in S. 12.

The Chair recognizes the Senator from Hawaii [Mr. INOUE].

Mr. INOUE. Mr. President, I ask for the yeas and nays on passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Without objection, the bill is deemed read the third time.

The question is, Shall the bill pass?

On this question the yeas and nays were ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MACK (when his name was called). Present.

Mr. FORD. I announce that the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. BRADLEE], the Senator from California [Mr. CRESTOW], the Senator from Iowa [Mr. HARKIN], the Senator from Nebraska [Mr. KERREY], and the Senator from Pennsylvania [Mr. WOFFORD] are necessarily absent.

I also announce that the Senator from Michigan [Mr. RIEGLE] is absent because of family illness.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. BOREN] and the Senator from Michigan [Mr. RIEGLE] would have voted "aye."

Mr. SIMPSON. I announce that the Senator from Missouri [Mr. BOND] is necessarily absent.

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Phone #: (202) 737-3220, ext. 4568

List Name(s) CABLE

Number of pages including this Instruction Sheet: 2

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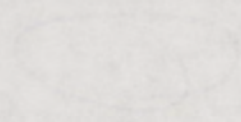
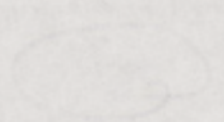
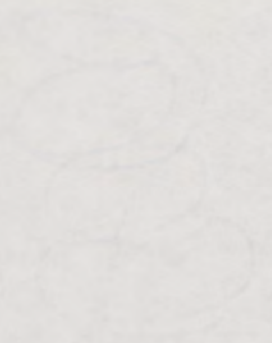
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