

105TH CONGRESS  
1ST SESSION

# 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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. TAUZIN (for himself, Mr. MARKEY, and Mr. BOUCHER) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Multichannel Video  
5 Competition and Consumer Protection Act of 1997”.

1 **SEC. 2. INQUIRY REQUIRED.**

2 Section 623 of the Communications Act of 1934 (47  
3 U.S.C. 623) is amended by adding at the end the following  
4 new subsection:

5 “(o) INQUIRY ON IMPEDIMENTS TO DEVELOPMENT  
6 OF EFFECTIVE COMPETITION.—

7 “(1) INQUIRY REQUIRED.—Within 30 days  
8 after the date of enactment of this subsection, the  
9 Commission shall initiate an inquiry on the extent to  
10 which the differential fee decision constitutes an im-  
11 pediment to the development of effective competition  
12 in the market for multichannel video programming  
13 distribution from multichannel video programming  
14 distributors described in subsection (l)(1)(B).

15 “(2) REPORT REQUIRED.—Within 90 days after  
16 the date of enactment of this subsection, the Com-  
17 mission shall submit a report on the results of the  
18 inquiry to the Committee on Commerce and the  
19 Committee on the Judiciary of the House of Rep-  
20 resentatives and the Committee on Commerce,  
21 Science, and Transportation and the Committee on  
22 the Judiciary of the Senate.

23 “(3) RULEMAKING.—Within 180 days after the  
24 date of enactment of this subsection, the Commis-  
25 sion shall complete any actions necessary (including  
26 any reconsideration) to make such changes as the

1 Commission may determine to be necessary to its  
2 regulations on the basis of the inquiry required by  
3 this subsection.

4 “(4) DEFINITION.—For the purposes of this  
5 subsection, the term ‘differential fee decision’ means  
6 the decision of the Librarian of Congress on October  
7 27, 1997, relating to the per subscriber per month  
8 royalty fee for the retransmission of superstation  
9 and distant network signals by direct-to-home sat-  
10 ellite service providers.”.

11 **SEC. 3. DIRECT-TO-HOME SATELLITE PIRACY PREVENTION.**

12 Section 705(d)(6) of the Communications Act of  
13 1934 (47 U.S.C. 605(d)(6)) is amended by inserting “or  
14 direct-to-home satellite services (as defined in section  
15 303(v))” after “satellite cable programming”.

16 **SEC. 4. STAY PENDING COMPLETION OF INQUIRY.**

17 Until 120 days after the submission of the report re-  
18 quired by section 623(o) of the Communications Act of  
19 1934 (as added by section 2 of this Act), no officer or  
20 employee of the United States shall take any action to im-  
21 plement or enforce, and no obligation or liability shall ac-  
22 crue pursuant to, the differential fee decision described in  
23 paragraph (4) of such section.

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