

damages are available up to \$250,000 for each six-month period during which the pattern or practice of violations was carried out. Satellite carriers have the burden of proving that they are not improperly making use of the Section 122 license to serve subscribers outside the local markets of the television broadcast stations they are providing.

The Section 122 license is not limited to private home viewing, as is the Section 119 compulsory license, so that satellite carriers may use it to serve commercial establishments as well as homes. The local market of a television broadcast station for purposes of the Section 122 license will be defined by the FCC as part of its broadcast carriage rules for satellite carriers.

SECTION 3. EXTENSION OF EFFECT OF AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE

Section 3 of the bill extends the expiration date of the current Section 119 satellite compulsory license from December 31, 1999 to December 31, 2004.

SECTION 4. COMPUTATION OF ROYALTY FEES FOR SATELLITE CARRIERS

Section 4 of the bill reduces the 27-cent royalty fee adopted last year by the Librarian of Congress for the retransmission of network and superstation signals by satellite carriers under the Section 119 license. The 27-cent rate for superstations is reduced by 20 percent per subscriber per month, and the 27-cent rate for network stations is reduced by 45 percent per subscriber per month.

In addition, Section 119(c) of Title 17 is amended to clarify that in royalty distribution proceedings conducted under section 802 of the Copyright Act, the Public Broadcasting Service (PBS) may act as agent for all public television copyright claimants and all PBS.

SECTION 5. DEFINITIONS

Section 5 of the bill adds a new definition to the current Section 119 satellite license. The "unserved household" definition is modified to eliminate the 90 day waiting period for satellite subscribers who were previous cable subscribers. In other words, Section 5 would not require an individual who dropped cable to wait 90 days before receiving their network signals via satellite.

SECTION 6. PUBLIC BROADCASTING SERVICE SATELLITE FEED

Section 6 of the bill extends the Section 119 license to cover the copyrighted programming carried upon the PBS national satellite feed. The national satellite feed is treated as a superstation for compulsory license purposes. Also, the bill requires PBS to certify to the Copyright Office on an annual basis that the PBS membership continues to support retransmission of the national satellite feed under the Section 119 license.

SECTION 7. NOTICE TO SUBSCRIBERS

Section 7 of the bill requires a satellite carrier to ensure that each subscriber has been provided a written statement describing and quoting the network territorial restrictions of the Act. The statement should detail the circumstances under which a subscriber may not be eligible for satellite service of a particular network signal. Current subscribers should receive this statement within 60 days of enactment.

The purpose of this provision is to clarify for the customer exactly what the law means pertaining to the eligibility for distant network signals. Time and again customers complain that they were not made aware that there was any prohibition on the reception of distant network signals, or that they

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were not made aware of restrictions upon receiving notice that their distant network signals were being terminated.

SECTION 8. APPLICATION OF FEDERAL COMMUNICATIONS COMMISSION REGULATIONS

Section 8 of the bill amends the current Section 119 license to make it contingent upon full compliance with all rules and regulations of the FCC. This provision mirrors the requirement imposed upon cable operators under the cable compulsory license.

SECTION 9. EFFECTIVE DATE

The amendments made by this bill become effective on January 1, 1999, with the exception of Section 4 which becomes effective on July 1, 1999.

TRIBUTE TO ART M. INOUE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. MATSUI. Mr. Speaker, I am honored to rise in tribute to Mr. Art M. Inouye, Supervising United States Probation Officer in the District Court for the Eastern District of California.

Today, as Mr. Inouye marks his retirement with his many friends and co-workers, I ask all of my colleagues to join with me in saluting his 25 years of federal service.

A graduate of San Francisco State College in 1965, Mr. Inouye worked as director of the San Francisco Boy's Home from 1963 until 1965 and served in the U.S. Army Reserves from 1966 until 1972.

In 1974 Mr. Inouye began his career as a federal probation officer. By 1979 he had received his law degree from Lincoln University Law School and been promoted to Supervising U.S. Probation Officer.

Mr. Inouye's accomplishments in the Probation Office are numerous. He founded the district's firearms program and safety academy. He was also responsible for guideline sentencing training and implementation, as well as helping to establish a national program on enhanced supervision.

One of the cornerstones of Mr. Inouye's career was his significant contributions working with the Federal Judicial Center, which included teaching, facilitating curriculum development, advising, training, and video production.

As his career progressed, Mr. Inouye was promoted again in 1992 and became involved in the New Officer Orientation program. He also served as a facilitator of the Federal Judicial Center's System Impact Seminars.

In December 1997, Mr. Inouye's many years of exemplary federal service were recognized when he received the Richard F. Doyle Award. This award was established by the Federal Probation and Pretrial Services Officers Association for outstanding work throughout a career.

His award nomination at that time stated, "Art is a national treasure whose hard work, dedication, and unique qualities have touched virtually every employee of Federal Probation and Pretrial Services nationwide. . . ."

Mr. Speaker, I ask all of my colleagues to join with me in saying "thank you" to Art M. Inouye for 25 years of outstanding service to

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the U.S. Probation Office. I am honored to wish him every success in all of his future endeavors.

TRIBUTE TO DENNIS O'SULLIVAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to my good friend Dennis O'Sullivan, who has recently completed a highly successful term as President of the Sun Valley Chamber of Commerce. Throughout his tenure, Dennis has worked tirelessly and with considerable success to promote the economic interests of Sun Valley. Dennis has a warm and winning manner that invariably brings people over to his side. I know I've enjoyed immensely working with him on numerous occasions.

Dennis is that rare person equally at ease working on business and community issues. In addition to his involvement with the Sun Valley Chamber, for the past several years he has served in the position of Program Director for People In Progress, Inc. In that capacity, Dennis has established programs to assist the homeless and indigent who suffer alcohol and drug dependencies. He and his organization have stepped in where government cannot—or will not—get involved. It's no exaggeration to say that Dennis has provided a lifeline for people who would otherwise have nowhere else to turn.

Dennis has made an invaluable contribution to many more community-based organizations in the Northeast San Fernando Valley. Among others, he has been active with the San Fernando Valley Alcohol Policy Coalition, the San Fernando Valley Homeless Coalition and Providers Collaborative of the San Fernando Valley.

He is also one of the prime movers behind the Hansen Dam Fourth of July Celebration, which in only a few short years has become a major attraction in the Northeast Valley.

Dennis has led a rich and interesting life, which includes raising a daughter, who now teaches school, and two sons who are officers with the Los Angeles Police Department. He also served with the U.S. Army in Vietnam, receiving an honorable discharge, and worked for 15 years as a motion picture camera technician in the film and television industries.

I ask my colleagues to join me in saluting Dennis O'Sullivan, a man who cares deeply about his community. His generosity of spirit and dedication to public service are an inspiration to us all.

IN RECOGNITION OF MRS. GLENNA GOODACRE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1999

Mr. COMBEST. Mr. Speaker, it is my distinct privilege to rise today to honor one of