to Congress on methods of facilitating the delivery of local signals in local markets, especially smaller markets."

SEC. 205. RETRANSMISSION CONSENT. (a) AMENDMENT OF SECTION 325(b).—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended by striking the subsection designation and paragraphs (1) and (2) and inserting the following: 

"(b) No cable system or other multichannel video programming distributor shall retransmit the signal of a broadcasting station, or any part thereof, except—

"(1) with the express authority of the station; or 

"(2) pursuant to section 614 or section 615, in the case of a station elegating, in accordance with this subsection, to assert the right to carriage under that section."

"(2) The provisions of this subsection shall not apply to—

"(A) retransmission of the signal of a television broadcast station outside the station’s local market by a satellite carrier directly to subscribers if—

"(i) that station was a superstation on May 1, 1991; 

"(ii) as of July 1, 1998, such station’s signal was transmitted under the compulsory license of section 119 of title 17, United States Code, by satellite carriers directly to at least 250,000 subscribers; and 

"(iii) the satellite carrier complies with any program exclusivity rules that may be adopted by the Federal Communications Commission pursuant to section 338."

"(B) retransmission of the distant signal of a broadcast station by, or affiliated with, a broadcasting network directly to a home satellite antenna, if the subscriber resides in an unserved household, or 

"(C) retransmission by a cable operator or other multichannel video programming distributor (other than by a satellite carrier direct to its subscribers) of the signal of a television broadcast station outside the station’s local market, if that signal was obtained from a satellite carrier and—

"(i) the originating station was a superstation on May 1, 1991; and 

"(ii) the originating station was a network station on December 31, 1997, and its signal was retransmitted by a satellite carrier directly to subscribers."

"(3) Any term used in this subsection that is defined in section 337(d) of the Communications Act of 1934, as added by section 204 of this title, has the meaning given to it by that section."

SEC. 206. DESIGNATED MARKET AREAS. Nothing in this title, or in the amendments made by this title, prevents the Federal Communications Commission from revising the listing of designated market areas or realigning those areas if the revision or realignment is done in the same manner and to the same extent as the Commission’s cable television mandatory carriage rules provide.

SEC. 207. SEVERABILITY. If any provision of this title or section 325(b) or 327 of the Communications Act of 1934 (47 U.S.C. 325(b) or 327, respectively), or the application of that provision to any person or circumstance, is held by a court of competent jurisdiction to violate any provision of the Constitution of the United States, then the other provisions of that section, and the application of that provision to other persons and circumstances, shall not be affected.

SEC. 208. DEFINITIONS. In this title:

"(1) TERMS DEFINED IN COMMUNICATIONS ACT OF 1934.—Any term used in this title that is defined in section 337(d) of the Communications Act of 1934, as added by section 204 of this title, has the meaning given to it by that section."

"(2) DESIGNATED MARKET AREA.—The term ‘designated market area’ means a designated market area, as determined by Nielsen Media Research and published in the DMA Market and Demographic Report.

ORDERS FOR MAY 25, 1999

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 on Tuesday, May 25. I further ask consent that on Tuesday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of S. 1059 as under that order.

I further ask unanimous consent that at the hour of 12:30 p.m. the Senate stand in recess for 15 minutes in order for the party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the amendments be in order, other than the amendments agreed to in the previous consent, prior to the votes at 2:15 p.m. on Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WARNER. For the information of all Senators, the Senate will resume consideration of the Defense Authorization bill tomorrow. Under the order, the Senate will debate several amendments, with the votes on those amendments occurring in a stacked sequence beginning at 2:15 p.m. Tuesday afternoon. All Senators should, therefore, expect at least three votes occurring at 2:15. It is the intention of the majority leader to complete action on this bill as early as possible this week.

WITHDRAWAL

Executive message transmitted by the President to the Senate on May 24, 1999, withdrawing from further Senate consideration the following nomination:

DEPARTMENT OF STATE

J. BRIAN ATWOOD, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRAZIL, WHICH WAS SENT TO THE SENATE ON JANUARY 6, 1999.