

(June 15, 2007) Bill seeks to give viewers an option

Article published Jun 15, 2007

Bill seeks to give viewers an option

June 15, 2007

By Kara Rowland

<http://www.washingtontimes.com/article/20070615/BUSINESS/106150082&SearchID=73285349885482>

THE WASHINGTON TIMES - A group of lawmakers yesterday introduced legislation that would allow consumers to block unwanted channels and be reimbursed their cost, arguing that cable television subscribers should not be required to pay for channels they find offensive.

"In today's culture, parents are increasingly worried that their children are exposed to obscene, indecent and violent programming," said Rep. Daniel Lipinski, Illinois Democrat. "While there is no doubt that parents are the first line of defense in protecting their kids, clearly they need more help."

Under the Family Choice Act of 2007 cable and satellite TV providers would have to comply with one of the following: Apply broadcast indecency standards to their daytime programming; expand current family-tier offerings to include news and sports channels; or offer an "a la carte" option that lets subscribers block objectionable channels, giving them credit on their monthly bills for the costs of providing those channels.

Mr. Lipinski and Republican co-sponsors Rep. Jeff Fortenberry of Nebraska and Rep. Robert B. Aderholt of Alabama were joined yesterday by Federal Communications Commission Chairman Kevin J. Martin, a longtime proponent of a la carte cable, and members of the Parents Television Council, Consumers Union and Concerned Women for America.

Mr. Martin, a Republican, cited a recent federal court decision that rejected an FCC policy against accidental expletives as an example of the need to give consumers "greater control over content."

"There is a right to free speech, but there is no constitutional right to be paid for speech," he said. In addition, Mr. Martin added, a la carte would benefit all consumers through lower cable prices.

Supporters of the measure say government intervention is necessary to create a free market.

"Unlike other areas of the marketplace, Americans are not as free to choose among TV options," Mr. Fortenberry said. "They are locked into purchasing packages that many times provide them with more than they want."

The bill probably would increase cable subscribers, he added.

Not surprisingly, the cable industry doesn't see it that way.

"Overwhelming evidence shows that a mandated a la carte regime would result in higher prices and less diversity in programming, overturning a video marketplace that provides U.S. consumers with the widest variety of programming found anywhere in the world," said Brian Dietz, spokesman for the National Cable and Telecommunications Association.

Several small cable networks also came out against the bill, arguing that it would give providers an incentive to eliminate less-profitable channels from their lineup.

"For those of us working to bring family-friendly content to American television, the Lipinski-Fortenberry legislation is a recipe for disaster," said Rod Tap, spokesman for the Inspiration Networks, a 24-hour religious network. "The growth and acceptance of our networks has been possible to a large extent because we are able to place such programming on the widely distributed channel packages offered by cable systems."

This isn't the first time a la carte legislation has been introduced; Mr. Lipinski introduced a similar bill last year but it failed to gain any traction.

"I'm not telling you that this is moving tomorrow," he said of the bill. However, its chances are better this year in the wake of a recent FCC report on TV violence and the court decision on the indecency policy.

Mr. Lipinski said he has "no commitments yet" but is in talks with House Energy and Commerce Committee Chairman Rep. John D. Dingell, Michigan Democrat, about scheduling a hearing on the bill, as well as Senate colleagues about companion legislation.

"The onus is clearly on the advocacy groups here," said Dan Isett, director of corporate and government affairs for the Parents Television Council.