

Mr. LOTT. I will be glad to yield for a question. We want to get this unanimous-consent request as quickly as possible, but I will be glad to yield to the Senator.

Mr. EXON. Do I understand from the Senator from Mississippi that finally, at long last, the two leaders are working and are, according to the information that he has, about to come on the floor to outline some unanimous-consent type of agreement that will move the process ahead?

Mr. LOTT. I believe that has been occurring. I know the leaders met within the last few minutes and they are looking over an agreement which we hope to be able to announce momentarily. I see the distinguished Democratic leader is here, so maybe we are ready. We are not quite ready yet?

Mr. EXON. I was about ready to try to get the amendment before us set aside for the purpose of calling up an amendment that I first presented at the desk way back last week, sometime Friday. I had it ready Wednesday, almost a week ago, and have been trying to accommodate everybody else. But there does not seem to be much accommodation.

But I guess I can wait for another 10 minutes to see whether or not we can bring some reality out of the morass that we seem to be in from the standpoint of procedure in the Senate as of now.

Mr. LOTT. I believe the Senate is underway and I thank the distinguished Senator from Nebraska for his patience.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRESSLER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SNOWE). Without objection, it is so ordered.

#### SELF-FUNDING FOR PUBLIC BROADCASTING

Mr. PRESSLER. Madam President, I rise to speak on a portion of this consideration regarding the Corporation for Public Broadcasting. It has been my concern for some time that we could make the Corporation for Public Broadcasting self-funding, or, if I may use the term, privatized, although I think self-funding would be better.

Presently the Corporation for Public Broadcasting is a private corporation with Federal funding. At the end of their programming each day you see it says, "The Corporation for Public Broadcasting funded by the Federal Government"—a private corporation funded by the American people.

I am of the opinion that through a program that I recently presented in the Washington Post, the corporation can become private, can become self-funding, and it is not necessarily by in-

creasing advertising. It is rather by digitizing, compressing its programming, and making it available for sale to such outlets as Arts and Entertainment, to the Learning Channel, to the History Channel, and to the hundreds of new video dial tone channels that are springing up across the country from the regional telephone companies.

Also, the Corporation for Public Broadcasting and its public broadcasting entities could get a great deal larger percentage of the things that appear on the free public platform. They have already voted to start getting a larger percentage of that.

For example, whether it is Barney, or whether it is Bill Moyers' Journal, or whatever else, if there is money made from the sale of tapes of that show and paraphernalia, I think the taxpayers ought to be entitled to 20 percent or 30 percent of it—or maybe more—whatever they can negotiate in a business-like way.

In addition, public broadcasting will be digitizing and compressing parts of its spectrum, and they can rent part of that spectrum or sell it or use it in some way, and they can have far more money than they have now.

So my point is, Madam President, that the Corporation for Public Broadcasting and the other public broadcasting entities are sitting on a treasure trove that they can utilize. The taxpayers of this country do not have to subsidize them. They can do just as well. They can provide more money to rural radio and TV and more money to children's programming than they are now.

If this body wishes, when it comes to zeroing out and to replacing over a 3-year period or 2-year period their moneys, they can place a requirement for certain rural programming and for children's programming—just as when Conrail was privatized on this Senate floor and we placed certain covenants or requirements on Conrail to provide certain local service, just as we require airlines to provide certain safety for the public, just as we require that other private companies meet service requirements, such as the regional telephone companies who have a universal fund to provide long-distance services in rural areas and small towns. All of this can be done.

Vice President GORE talked about reinventing and privatizing. I think and have thought that the Corporation for Public Broadcasting, the Public Broadcasting Service, and National Public Radio can do so.

Madam President, the defenders of the status quo have waged a nationwide campaign that is very misleading. They say that Senator PRESSLER and others are out to kill Big Bird or out to kill rural radio. Is it not strange that they do not talk about cutting anything inside the beltway? When we look at the National Public Radio building and its equipment; at the Corporation for Public Broadcasting and its salaries; at the nonprofit organiza-

tions that have sprung up alongside that receive their grants and which in turn pay salaries two and three times higher than Senators make—we should remember that this is taxpayers' money.

So I join in this effort that is on the Senate floor, and also I am working with the Budget Committee to have a 3-year plan to phase out the Federal subsidy.

Earlier this year, Madam President, there was some controversy about a questionnaire that I sent to the Corporation for Public Broadcasting. As chairman of the oversight committee, I asked a lot of questions about where and how the money moved. In my State of South Dakota, we get \$1.7 million from Washington, DC, but instantly have to send over \$1 million back for programming. My State and small rural States should be able to shop around. Maybe they would want to buy some digitized compressed programming from Arts and Entertainment, or from Nickelodeon. This children's programming is marketed to France, incidentally, and dubbed. It is about the only cultural import the French welcome, educational children's programming made privately.

The point of the whole matter is that there are plenty of opportunities for public broadcasting to make money, and it is most unfortunate that they are not carrying that out. But they put forth the argument that we are trying to take away children's programming and rural radio. That is not true.

In my State, our State legislature voted down a resolution urging that more Federal moneys be sought for the Corporation for Public Broadcasting because people understand that there is a very misleading campaign underway here. My State is one of those that has the most rural radio perhaps of all.

Let me say, Madam President, that I have contributed every year to public broadcasting, long before this debate. I contributed again this year because I think it has its place. But those small States are not getting their fair share under the present formulas that are used. And far more of the moneys go to grants to their favorite foundations and nonprofit groups here inside the beltway that pay salaries up to \$750,000 a year as Senator DOLE published on this Senate floor, and other salaries of \$450,000, and so forth. Those are taxpayers' dollars, incidentally.

So the next time someone comes up to me and says, "Ah, you are against rural radio," I would say to them that one salary here paid at the favorite foundations of the Corporation for Public Broadcasting is greater than my whole State gets in a year's time.

So let us put things into perspective. The Corporation for Public Broadcasting and its related entities here inside the beltway have become a bloated bureaucracy, and reform is needed.

They are making some reforms now, and I commend them for those reforms. One of the reforms was that they voted

to start getting a percentage of those items that appear and make profits on the free public platform that is provided. Another reform that they are making, I believe, is that they are starting to learn to partner with the information superhighway to compress and digitize their programming and sell it, or swap it, and that is something that I have advocated for a long time. So I think what will come out of this is a better Corporation for Public Broadcasting, a better public TV and radio in this country.

So far as the questions that I submitted, they are the same questions that every broadcaster in this country must answer every year regarding minority hiring, but public broadcasting somehow feels they are exempt from it. They have the stories written in the paper that I asked about the ethnicity and race of employees. That is what every broadcaster in this country must answer every year, and every small businessman who has contracts with the Federal Government can be called upon to produce at any time. And they also, if questioned, have to say who the minorities are. It is alleged, though I cannot prove it or disprove it, that they do not meet their minority hiring requirements with permanent employees. They do it with part-time employees. A small businessman in my State can be prosecuted for doing that, but they think they are exempt from responding to the committee that has oversight, apparently. So I find that the attitude there is very unusual.

Now, I have another interesting thing that I learned, which is that the reporters who wrote about this for the New York Times and the Washington Post, coincidentally, are paid to appear on public television, although they did not say that in their stories. It is hard to get a story correct. I do want to commend the Post though. They did allow me to publish an op-ed that laid out my point of view after I met with the board of editors of the Washington Post.

I think what we have is a very arrogant system, from a management point of view, that has been built up in the Corporation for Public Broadcasting. I never really looked into it until I became chairman of the committee this year. That is my job. That is what I am supposed to do. But they are forward-funded through next year. I think the House of Representatives has done an excellent job of laying the groundwork to phase out the Federal funding as they phase in these self-funding devices. That is a positive thing. But the Corporation and its allies have run a misleading campaign around the country telling people that those Republicans are out to kill Big Bird and are out to shut off rural radio. That is simply not true.

Madam President, there are many reasons that the Corporation for Public Broadcasting was created in 1967. But public radio and TV existed before that. I gave my first speech in a debate at the University of South Dakota on

public television in 1963 before we ever had the Corporation for Public Broadcasting. And so I join with my colleagues here on the Senate floor, and I hope I can say I join with the leadership of public broadcasting in this country, to move toward a better system, a system not so bloated with bureaucracy.

In our States, our State legislatures pay most of the costs of our public radio and television. Individual contributors also, such as myself and, I might add, NEWT GINGRICH, have contributed to public radio and TV. The State legislatures pay for most of the public radio and television in this country. The corporation was founded so there would be a national clearing house, so to speak, and it did a lot of good things. But we have now entered an age where it has been proved that this quality programming can be marketed, and their programming could be marketed. It does not need to mean more ads.

Incidentally, public radio and TV in many cases has more revenue from ads than does commercial radio and TV in many markets. That is another unknown. They call them enhanced underwriting, but they are advertisements, and that is fine with me. I think we should analyze the thing as it really is. In the oversight committee, we should look at the facts as they really are, and so for that reason I join in efforts here on this floor to do what the House of Representatives has done, to start a phaseout over a 3-year period of the moneys, of the taxpayers' money. To replace that, there is an abundance, a treasure trove from which it can be done.

Madam President, I ask unanimous consent at this point to have printed in the RECORD my op-ed that was published in the Washington Post that deals with the subject of how public broadcasting can become self-financing.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 8, 1995]

#### REALITY-BASED BROADCASTING

(By Senator Larry Pressler)

"Public broadcasting is under attack!" "Congress wants to kill Big Bird!" These and other alarmist cries have been common in recent weeks. The problem is they are lies. That's right, lies. I tried to conceive of a more polite way to say it. I could not. With rare exceptions the press largely has ignored the specifics of the position taken by members of Congress seeking to reinvent public broadcasting.

I have struggled to make my position clear. Yet the misrepresentations continue. I am convinced many simply do not care to report the facts—facts they do not find as interesting as the scenarios they create. That is too bad. The average American taxpayer would find the facts extremely interesting.

As chairman of the Senate Committee on Commerce, Science and Transportation, I am not seeking to destroy public television and radio. I am a strong supporter of public broadcasting, both in my home state of South Dakota and nationally. Pull the plug? Absolutely not. Rather, my plan would ex-

pand opportunities and save taxpayer dollars.

Why do I seek change? Because times have changed. Today's electronic media are vastly different from those of the 1960s, when the current system of federal subsidies for public broadcasting was established. The old theory of "market failure" for educational programming is completely untenable in today's environment. Educational and cultural programs can and do make profits when their quality is good and marketing astute. The only money losers in today's arrangement are the taxpayers.

A Feb. 24 Post editorial stated it is time for the public broadcasting industry to face reality. The issue no longer should be whether federal subsidies for public broadcasting will be cut. I could not agree more. Congress now is debating when and how much. The House Appropriations subcommittee on labor, health and human services already has cut the public broadcasting budget. The House leadership promises more to come. I fully expect the Senate to follow suit.

Instead of crying over public cash, it would be more prudent for public broadcasting executives to use their talents and resources developing the numerous potential sources of revenue available to replace the federal subsidy rather than continuing to fan the flames of fear and exaggeration. As captains of a major corporation, their responsibilities should be clear. The Corporation for Public Broadcasting (CPB), National Public Radio (NPR) and the Public Broadcasting System (PBS) need to learn to stand on their own feet.

To help in that effort, I recently provided the chairman of the board of CPB with a plan to end its dependency on federal welfare in three years. Ideas to end CPB's addiction to taxpayer dollars include:

Profits from sales. CPB should renegotiate sales agreements and improve future agreement to get a larger share of the sales of toys, books, clothing and other products based on its programming. In 1990, Barney-related products retailed at \$1 billion! Steps have been taken by the CPB board to improve its share of such sales. More should be done.

Make the most of new technology. Use of new compressed digitization technology would permit existing noncommercial licensees to expand to four or five channels where once they had only one. Public broadcasting stations could rent, sell or make use of the additional channels for other telecommunications and information services.

End redundancy. At least one-quarter of public television stations overlap other public television stations' signal areas. Public radio also suffers from the inefficiencies of redundancy. Ending this overlap and selling the excess broadcast spectrum would provide substantial revenues to public broadcasting.

Switch channels. Moving public television stations from costly VHF channels to less costly UHF channels in certain markets would provide a substantial source of new revenue.

Team with other information services. CPB could increase commercial arrangements in the computer software market and with on-line services.

These are only a few of the ways in which the CPB could reinvent itself into a self-sufficient corporation for the '90s and, indeed, for the next century. Ending federal dependency does not end public broadcasting. Today's subsidy amounts to only 14 percent of the industry's spending! Indeed, my current plan asks the Corporation for Public Broadcasting to end its dependency on federal welfare in three years—that's one year more

than what current proposals would give welfare recipients to get off federal assistance.

It would be tragic if the public broadcasting industry ignores its responsibilities when the federal budget is in crisis. It also would be tragic if the industry spurns exciting opportunities in new markets and technologies. Perhaps most tragic of all, however, would be continued retrenchment from public broadcasting executives crying, "It can't be done." It can be done. It should be done.

CLINTON AND GORE TRY TO SET BACK  
TELECOMMUNICATIONS COMPETITION

Mr. PRESSLER. Madam President, on a second subject, I was very disappointed this morning in a conversation with Vice President GORE to learn that the administration is opposed to my telecommunications bill and that the present plan is to veto that bill if it were to pass. I say that because I believe in this Chamber there would be 85 to 90 votes for the telecommunications bill today if it came up for a vote.

The Vice President said the administration was opposing it for three reasons. First, because they do not like the cable provisions; second, because they do not like the lack of a merger prohibition on regional telephone and cable companies; and third, because they would like to have a Justice Department review, in addition to an FCC review, in determining when Bell companies can enter the long-distance and manufacturing markets.

Madam President, we have worked out these matters. Every Democrat on the Commerce Committee voted for this bill. The administration did not avail itself of the opportunity to come up here during all the long negotiations and let us know of their strong feelings. Then all of a sudden the Vice President is working against having the bill brought up—and announces that the administration is opposed to it. This comes after we have made substantial accommodations and we have worked out the cable and long distance issues.

For example, with regard to cable rate deregulation, the basic tier remains regulated in the bill. The upper tier is deregulated with a bad-actor proviso—that is, rate regulation would be possible if a cable operator charges rates which are substantially above the national average. So there is consumer protection on the cable issue.

And then after 2 or 3 years, or when there is at least 15 percent of DBS—direct broadcast satellite—in a market, basic cable is deregulated. Or when there is video dialtone service present in a market, basic cable would be deregulated. The Vice President feels strongly that this is inappropriate. But this represents a compromise that was worked out between Republicans and Democrats. In fact, every Democrat on the Commerce Committee voted for it. The committee overwhelmingly approved the bill by a 17-to-2 margin.

The next objection was on cable and telephone company mergers. The decision not to put that in was agreed to on both sides of the aisle. The proposal to limit cable and telephone company ac-

quisitions, mergers or joint ventures is redundant, as current law—Hart, Scott, Rodino—already provides antitrust scrutiny in this area.

Regarding the Justice Department, we already have the FCC, with public interest and competitive checklist language, reviewing this. There is no need for a second review by the Justice Department. We are repealing the MFJ. That is the whole idea of this bill, to replace the courts with congressional action. The Justice Department could still bring antitrust action. They have that power on any aspect of American business.

So I am strongly in disagreement with the Vice President's assessment. And I am very saddened by it because it means, as a result of that, we will not be bringing my bill up this week. We will bring it up early after we come back. But I am fearful that during that time this bill will be picked apart by the various interests. It is the sort of bill where we had good momentum until the administration opposed it and began working against it here, working against its being brought up. I ask my colleagues from the Democratic side to contact the Vice President and to persuade him and the administration that this is a good bill. It is the best bill we are going to get. And it is supported across the country.

I am very worried and saddened at the developments that have occurred here. I am determined to go forward. We will get the bill up in April or May. We will proceed with it. This body will vote for it overwhelmingly, and should vote for it.

All the staffs on both sides of the aisle have been involved. I do not think any bill has ever had more consultation or more staff work—without a day off, from Christmas Day, literally—on this bill.

It has been an open, inclusive process. The last time, people complained that nobody knew what was in the telecommunications bill; there was not enough consultation. So we had meetings all day and all night, even Saturday and Sunday, with staff from Members on both sides who were interested. So everyone had their input—except the administration, which never made a peep. Now, suddenly, the administration is actively working to encourage Democratic Members to contact the minority leader's office to keep it from being brought up. And that saddens me a great deal.

I hope, Madam President, that this is merely a delay. We will fight on with this piece of legislation. Probably no piece of legislation this year has been more widely discussed and consulted about. All 100 Members of the Senate have been involved in some way. We are ready to go. The bill is filed. The report is filed. The committee has voted. It has amendments added to it. We need to bring it up and vote amendments on the floor. The country needs this bill.

Now, what will happen if we do not pass this bill? It will reduce jobs and hurt the United States.

This bill has been called a \$2 trillion bill by George Gilder because it will cause an explosion of new activity in telecommunications. It will boost our exports. It will cause a number of new devices to be distributed to the American people.

Presently, we have very little of the so-called information superhighway here. Everybody talks about it. We have cellular phones, some computer Internet, and we have cable TV. But that is all. Most people are not on the information superhighway and they will not be until we pass this bill.

Otherwise, the people who invest in telecommunications are paralyzed, waiting for a roadmap, waiting for the ground rules. In fact, many people who invest in telecommunications are investing in Europe because they cannot get approval, because we have economic apartheid of the regional Bells, economic apartheid of the long-distance companies, and so forth.

So I call upon this administration to listen to the Democrats in this body and to the Republicans, and not to obstruct this bill. Indeed, we will bring it up for a vote. We will get 85 votes on final passage on this bill, or more.

It is very strange. In my time in Congress, in my 21 years, I have never seen a situation where a committee votes out a bill with all the members of the President's party voting for it, and then the administration, which has been absent, announces it is opposed to it and will veto it—without, apparently, consulting with any of the members of that committee. That is very, very strange.

Maybe I am misunderstanding something here. But I do not think I have ever seen anything like that happen before. I think that there is something going on in Presidential politics or something that I am not quite a party to. I find it very disappointing and very strange.

But let me say to all the supporters of the bill not to lose faith. We will carry on. We will pass it. It is going to be tough.

I do not think, in the end, the President will veto it if it is in the light of day and when the country understands what is in it. But if he does, we will override the veto in both Houses, because the votes are there.

Madam President, I thank you very much for the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.