

**STATEMENT OF SENATOR JOHN McCAIN**  
**CHAIRMAN, SENATE COMMITTEE ON**  
**COMMERCE, SCIENCE, AND TRANSPORTATION**

**OCTOBER 11, 2004**

**THE INTELLECTUAL PROPERTY PROTECTION ACT**

- Mr. President, I wish to briefly remark on H.R. 2391 and H.R. 4077, a package of bills referred to as the “Intellectual Property Protection Act of 2004.” I have objected to the further consideration or passage of these bills by unanimous consent.
- From the text of the bills that have been available to date for Senators to review, I believe that one part of this broad legislation, the Family Movie Act, may actually harm consumers while appearing to help them. To be clear, I support the stated goal of the Act’s authors: immunizing from legal challenges a technology that enables parents to skip offensive material from prerecorded copies of films and television. While I applaud the merits of their stated intent, I fear that the very exemption designed to achieve this laudable goal simultaneously creates an implication that certain basic practices that consumers have enjoyed for years -- like fast-forwarding through advertisements -- would constitute criminal copyright infringement. I note that Consumers Union and Public Knowledge, as well as a host of others parties interested in protecting consumers, share my concerns.
- Americans have been recording TV shows and fast-forwarding through commercials for more than thirty years. Do we really expect to throw people in jail in 2004 for behavior they've been engaged in for more than a quarter century?
- I look forward to working with my colleagues in this chamber to address not only these concerns, but also the uncertain liability created for manufacturers that bring other innovative and pro-family products to market in the face of continual threats of extinction from powerful interests who seek to thwart their entry.
- Mr. President, for these reasons, I do not intend to remove my hold on these bills until I am satisfied that consumer interests have been protected in this legislation.

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