

As we all know, the telecommunications industry is one of the key driving forces of our economy. As such, we in the Congress need to ensure that unnecessary government intervention doesn't cause needless delay in bringing new and innovative products to the market. Even more so, we must ensure that the business community is not competitively disadvantaged by an endless regulatory review process.

Whenever a company is required to seek approval of the government, there is some uncertainty, particularly as it relates to the length of merger review. My bill is narrowly crafted to remedy this situation. My bill would require the FCC to approve or deny a merger application within 60 days of being on public notice, the FCC can extend this by 30 days with a majority vote by the Commissioners. When reviewing mergers or acquisitions by small- or mid-sized companies the time frame is limited to 45 days with no extensions. It's that simple—no delays, no foot-dragging.

When Congress passed the Telecommunications Act of 1996, the Congress imposed a variety of time constraints on the FCC. I believe that many of us who were involved in that process did not think that we would subject the business community to these lengthy and uncertain delays at the FCC. One of the biggest problems that some of my constituents have raised with me is not knowing if a merger will take 3 months, 9 months or even 16 months. There is simply no logic or rationale to the FCC's lengthy process.

The uncertainty of the regulatory process can have devastating effects on both large and small companies. This potential for lengthy reviews can force companies to miss product roll-outs, miss a window of opportunity to raise venture capital, and at times has been manipulated by competitors to forestall a decision by the agency. We simply cannot allow these scenarios to continue.

This legislation will do what all legislation should do—it requires the processes of government to work for the community they are meant to serve. Giving a definite time period for reviewing a merger will allow companies to better plan their entries into new markets. It will give Wall Street more certainty in making investment decisions. And finally, it will remove the oftentimes subjective nature of the review process and require the agency to reach a decision in a fair and efficient manner.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TIME LIMITS ESTABLISHED.

Title IV of the Communications Act of 1934 is amended by adding after section 416 (47 U.S.C. 416) the following new section:

"SEC. 417. TIME LIMITS FOR COMMISSION ACTIONS.

"(a) PUBLIC INTEREST DETERMINATIONS.—
"(1) DEADLINE FOR ACTION.—The Commission shall make a determination with respect to the public interest, convenience, and necessity in connection with any application for the transfer or assignment of any license under title III, or with respect to an application for the acquisition or operation of lines under title II, not later than 60 days after the date of submittal of such application to the Commission, except as provided in paragraphs (2) and (3).

"(2) EXTENSION.—The deadline for such determination may be extended for a single additional 30 days by order of the Commission approved by a majority of its members.

"(3) SHORTER DEADLINE FOR CERTAIN ACQUISITIONS INVOLVING SMALL LOCAL EXCHANGE CARRIERS.—In connection with the acquisition, directly or indirectly, by one local exchange carrier or its affiliate of the securities or assets of another local exchange carrier or its affiliates where the acquiring carrier or its affiliate does not, or by reason of the acquisition will not, have direct or indirect ownership or control of more than 2 percent of the subscriber lines installed in the aggregate in the United States—

"(A) the deadline under paragraph (1) shall be 45 days after the date of submittal of the application; and

"(B) the deadline shall not be subject to extension under paragraph (2).

"(b) Approval Absent Action.—If the Commission does not approve or deny an application described in subsection (a) by the end of the period specified in such subsection (including any extension thereof permitted under subsection (a)(2)), the application shall be deemed approved on the day after the end of such period. Any such application deemed approved under this subsection shall be deemed approved without conditions."

SEC. 2. EFFECTIVE DATE.

(a) IN GENERAL.—The amendment made by section 1 shall apply with respect to any application described in section 417(a)(1) of the Communications Act of 1934 (as added by this Act) that is submitted to the Federal Communications Commission on or after the date of enactment of this Act.

(b) PENDING APPLICATIONS.—With respect to any application pending before the Federal Communications Commission for more than 60 days as of the date of enactment of this Act, the Commission shall approve or deny such application with or without conditions within 30 days after such date of enactment. If the Commission fails to approve or deny such applications within such 30-day period, such pending applications shall be deemed approved without condition. Section 417(a)(2) of the Communications Act of 1934 (as added by this Act) shall not apply to such pending applications.

BUSINESS, MILITARY AND COMMUNITY LEADERS MAKE GOOD SENSE ON DEFENSE SPENDING

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, one of the most important issues we face today is how to adequately meet important social needs at a time when a majority in Congress unfortunately insists on large yearly increases in military spending while also operating under the budget caps of the 1997 budget act. Our national policy continues to mistakenly spend huge amounts of money defending ourselves and the rest of the world from a military threat that has greatly receded, at the expense or a number of other important social and economic goals of our society.

I commend Business Leaders for Sensible Priorities for its thoughtful leadership on educating the public about the important of redirecting American resources away from the military in order to appropriately respond to the legitimate needs of Americans. I ask that three sets of recent statements by national security experts Admiral Stansfield Turner (US Navy ret.) and Vice Admiral Jack Shanahan (USN-ret.); social advocacy leaders Marian

Wright Edelman, President of the Children's Defense Fund, and Bob Chase, President of the National Education Association; and business leaders Bruce Klatsky, chairman & CEO of Philips—Van Heusen, and Mohammad Akhter, executive director of the American Public Health Association, which appeared in the New York Times under the auspices of Business Leaders for Sensible Priorities, be inserted into the RECORD. These commentaries do a good job outlining how our national security would in no way be endangered by a lower defense budget and the socially constructive ways in which the savings generated by such a reduction could be directed.

[From the New York Times, August 1, 1999]
IF MY BUSINESS USED PENTAGON ACCOUNTING PRACTICES, I'D BE SENT TO JAIL

(By Bruce Klatsky)

A 1995 General Accounting Office analysis revealed that the Pentagon's financial books can't account for \$43 billion in payments made to defense contractors. The New York Times reported two weeks ago that the Pentagon "defied the law and the Constitution by spending hundreds of millions on military projects that lawmakers never approved." The Los Angeles Times reported last month that \$5.5 billion was diverted from the Pentagon's operating budget to refurbish the residences of Navy brass.

If my publicly-traded, SEC-regulated company handled our finances this way I'd be facing jail time.

It's not just that taxpayer funds are being wasted, but my business experience in allocating scarce resources tells me that a dollar can only be invested once. Those billions squandered by Pentagon bureaucrats are unavailable for programs that really build national security, and not just appropriate military needs but our education and health care too. The savings from reducing military waste are there. To get a copy of our alternative defense budget, showing how America can trim 15% of the Pentagon budget or \$40 billion every year, call us at the number below or download it from our web site.

[From the New York Times, August 1, 1999]
IF WE INVESTED MORE IN HEALTH CARE, WE'D SAVE LIVES

(By Mohammad Akhter)

Thankfully, the Cold War is over. Challenges to America's national security now come mainly from within: violence, drug abuse and people without access to health care all pose serious threats to our nation's health. Today's U.S. economy is the strongest in recent memory, but we are neglecting critical health problems that will increase the burden of disease on the next generation.

America needs to change its priorities. Wise investments in public health programs provide handsome returns in good health and prosperity. Here's where some of the unaccounted for Pentagon money should have gone for real investment:

As a step towards covering all Americans, we should provide health insurance for the 11 million American children who don't have it costing \$11 billion annually.

It would cost \$644 million to fully immunize the children who will be born next year.

All women could be assured of screening for breast and cervical cancer for just over \$1 billion.

We could rebuild the nation's system of disease detection, protecting Americans from diseases such as flu and foodborne illness as well as possible bioterrorist attacks for \$1.3 billion.

Those sound public health investments would pay real dividends in communities

across America. The future depends on the choices we make today. Shifting our priorities from Pentagon waste to unmet health needs will save lives, and assure good health for this and the next generation.

[From the New York Times, July 30, 1999]

WHY SHOULD WE PAY FOR NUCLEAR WEAPONS WE DO NOT NEED?

(By Admiral Stansfield Turner, U.S. Navy, ret.)

Last week, the House of Representatives voted to cancel the \$64 billion F-22 fighter aircraft program because America doesn't need such an expensive weapon. The same criteria that led the House to scuttle that Cold War holdover should lead to canceling other unnecessary weapons programs.

There's more in the Pentagon's budget to cut, and invest in Sensible Priorities. Case in point: We spend over \$30 billion each year maintaining a nuclear arsenal at a level of close to 12,000 nuclear warheads. A very much smaller, 1,000-warhead force would still provide the destructive force of 40,000 Hiroshima explosions. That would surely be enough to protect America from any security threat. Such a reduction would save as much as \$17 billion annually.

The United States must maintain the world's strongest armed forces, but that does not mean we should spend money on weapons we couldn't possibly use. Besides large savings on nuclear weapons, there are other ways to cut waste or trim excesses in the Pentagon's budget without jeopardizing our national security. Business Leaders for Sensible Priorities has developed suggestions for reducing the defense budget by 15%, or \$40 billion yearly. To get a copy, call the number below or download it from our website.

Our children and grandchildren deserve to inherit a strong America, but one that is strong in education, health care, equality of opportunity and quality of life, as well as military power.

[From the New York Times, July 30, 1999]

WHY CAN'T WE AFFORD TO MODERNIZE OUR SCHOOLS?

(By Bob Chase)

Nothing is more important for our nation's future than a high quality education for America's children. Educators know that students learn best in safe and modern schools, equipped with the latest technology.

However, according to the U.S. General Accounting Office, America's public schools need \$112 billion for repair and modernization. This is no surprise. The average school building in America is 50 years old.

Unfortunately, some in Congress are choosing to ignore this dire need. That puts our nation and our children at risk. Record student enrollment and the demands of a 21st Century workforce make investing in education a national imperative.

Other nations fund the education of their children at significantly higher levels than we do. Let's make our children's education our number one priority. Kids deserve a bigger slice of the budget "pie," and they should get it. One future depends on it.

[From the New York Times, July 28, 1999]

I KNOW SOMETHING ABOUT NATIONAL SECURITY

(By Vice Admiral Jack Shanahan, U.S. Navy Ret.)

Not every new weapon increases our nation's military strength. Some even weaken us. The F-22 fighter jet is just such a weapon.

So congratulations to the House of Representatives for voting last week to halt the

F-22 program. The House got it right, America doesn't need this plane to maintain unquestioned air superiority.

There's a lot more waste in the Pentagon budget besides the \$64 billion F-22. The same prudence the House showed scrapping that wasteful program should also be applied to other unnecessary weapons programs. An analysis by Lawrence Korb, former assistant secretary of defense under President Reagan, shows how to trim the Pentagon budget 15%—about \$40 billion annually—while maintaining the world's strongest armed forces. To get a copy of Dr. Korb's report, call the number or go to the website listed below.

Having served 35 years in uniform through three wars, I know what makes America strong. It's not just weapons. National security is also about investing in education and healthcare that make our people strong.

[From the New York Times, July 28, 1999]

WE KNOW ABOUT HELPING CHILDREN GROW UP HEALTHY

(By Marian Wright Edelman)

Our nation's strength is in our people, and our "national security" should be measured by how we invest in children.

Is it fair that the richest nation in the world has over 14 million children living in poverty and more than 11 million without health insurance? Is it fair that one million children eligible for Head Start cannot get in, or that only about one child in ten receives child care assistance?

By curbing military spending, we can free up money for vital, unmet needs like providing health insurance for all uninsured children. For the cost of each F-22 jet fighter, we could provide child care spaces for 50,000 more children.

Health care and early education are crucial for children. Countless studies show that healthy children are more likely to stay in school, stay out of trouble, and get on the path to productive lives. Head Start and child care programs prepare children for school and help their parents work. At the same time Congress debates spending more money for new weapons, it will have a chance to vote on whether to invest more dollars in child care. I hope they make the right choice.

LA LECHE LEAGUE INTERNATIONAL

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to recognize La Leche League International (LLL), the World Alliance for Breastfeeding, National Breastfeeding Month, August 1999, and World Breastfeeding Week, August 1–7, 1999. The theme for World Breastfeeding Week this year is Breastfeeding: Education for Life, sponsored by LLLI and WABA. World Breastfeeding Week is part of WABA's ongoing campaign to increase public awareness of the importance of breastfeeding. LLLI is a founding member of WABA's global alliance of health care providers, non-governmental organizations, and mother support groups.

This week, all over the world, people will be participating in the World Walk for Breastfeeding, organized by La Leche League International, an international nonprofit organization that provides breastfeeding information

and encouragement through mother-to-mother support groups and interactions with parents, physicians, researchers, and health care providers. LLLI reaches over 200,000 women monthly in 66 countries.

This year's World Walk for Breastfeeding will be the ninth annual walk, and my community of the Greater Kansas City area will be participating through twelve local La Leche groups. The Walk is a fundraiser for LLLI, and a portion of the money raised will stay with the local groups to fund their outreach and support activities.

Breastfeeding has been identified by the U.S. Surgeon General as a high priority objective for the year 2000, with the goal of increasing to at least 75 percent the proportion of mothers who breastfeed their infants in the early postpartum period and to at least 50 percent those who breastfeeding until the infant is six months of age. All available knowledge indicates that human milk optimally enhances the growth, development, and well being of the infant by providing the best possible nutrition, protection against specific infection and allergies, and the promotion of maternal and infant bonding. Further, breastfeeding is economical and promotes healthier mothers, and it benefits society through lower health care costs for infants, a healthier workforce, stronger family bonds, and less waste.

August 1 makes the ninth anniversary of the signing of the Innocenti Declaration on the Protections, Promotion, and Support of Breastfeeding which was adopted in 1990 by 32 governments and 10 United Nations Agencies. This Declaration states: AS a global goal for optimal maternal and child health and nutrition, all women should be enabled to practice exclusive breastfeeding and all infants should be fed exclusively on breast milk from birth to four to six months of age. Thereafter, children should continue to be breastfed while receiving appropriate and adequate complementary foods for up to two years of age or beyond. This child feeding ideal is to be achieved by creating an appropriate environment of awareness and support so that women can benefit in this manner.

Mr. Speaker, please join me in celebrating National Breastfeeding Month and World Breastfeeding Week, and let us lend our support to this global effort to nurture our infants and provide them with the best possible nutrition in the first months of their lives.

TRIBUTE TO INDIA'S INDEPENDENCE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. PALLONE. Mr. Speaker, I rise tonight to join with the people of India and the Indian-American community to commemorate India's Independence Day. The 52nd anniversary of India's Independence will actually occur on August 15th, while Congress is in recess, so I wanted to take this opportunity tonight, before we adjourn, to mark this important occasion before my colleagues in this House and the American people.

On August 15, 1947, the people of India finally gained their independence from Britain, following a long and determined struggle that