

Daily Digest

Senate

Chamber Action

The Senate was not in session today. It will next meet on Tuesday, October 31, at 11:30 a.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bill Introduced: 1 private bill, H.R. 3543 was introduced.

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Reports Filed: Reports were filed as follows:

H.R. 3265, to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, amended (H. Rept. 101-316, filed on October 27);

H.R. 3310, to authorize appropriations for activities of the National Telecommunications and Information Administration for fiscal years 1990 and 1991 (H. Rept. 101-317, filed on October 27);

H.R. 3021, to extend the deadlines under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Washington, amended (H. Rept. 101-318);

H.R. 3318, to redesignate the Federal building, known as the Concord Building, located at 1919 Smith Street in Houston, Texas as the "Mickey Leland Federal Building", amended (H. Rept. 101-319);

H.R. 2581, to authorize the Federal Aviation Administration to establish an aviation research grant program, amended (H. Rept. 101-320); and

H.R. 897, authorizing the National Oceanic and Atmospheric Administration to modernize and expand its fleet of ocean research vessels, amended (H. Rept. 101-321).

Page H7762

Presidential Veto Message—D.C. Appropriations: Read a message from the President wherein he announces his veto of H.R. 3026, making appropriations for the District of Columbia and other activities chargeable in whole or in part against the revenue of said District for the fiscal year ending

September 30, 1990, and explains his reasons therefor—ordered printed (H. Doc. 101-105). Agreed that consideration of the veto message be postponed until Wednesday, November 1.

Page H7738

Suspensions: House voted to suspend the rules and pass the following measures:

Veterans health professionals education: H.R. 3199, amended, to amend title 38, United States Code, to establish a program to provide post-secondary education assistance to students in health professions who are eligible for education assistance under the Reserve GI Bill program in return for subsequent service with the Department of Veterans Affairs. Agreed to amend the title;

Page H7739

Veterans education amendments: H.R. 3390, amended, to amend title 30, United States Code, with respect to certain veterans' education programs;

Page H7742

Low-level radioactive waste management: H.R. 2642, amended, granting the consent of the Congress to amendments to the Southeast Interstate Low-Level Radioactive Waste Management Compact;

Page H7747

Power project time limitation: H.R. 3021, to extend the deadlines under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Washington.

Subsequently, this passage was vacated and a similar Senate-passed bill, S. 750, was passed in lieu after being amended to contain the language of the House bill as passed. Agreed to amend the title of the Senate bill;

Page H7749

NTIA authorization: H.R. 3310, to authorize appropriations for activities of the National Telecommunications and Information Administration for fiscal years 1990 and 1991;

Page H7751

FCC authorization: H.R. 3265, amended, to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission;

Page H7752

M.P. Daniel and Thomas F. Calhoun, Sr., Post Office Building: H.R. 922, to designate the building located at 1515 Sam Houston Street in Liberty, Texas, as the "M.P. Daniel and Thomas F. Calhoun, Senior, Post Office Building"; and

Page H7755

Mickey Leland Federal building: H.R. 3318, amended, to redesignate the Federal building, known as the Concord Building, located at 1919 Smith Street in Houston, Texas, as the "Mickey Leland Federal Building". Agreed to amend the title;

Page H7756

Consent Calendar: Agreed that the bill, H.R. 2854, to authorize the exercise of State jurisdiction over a portion of Indian country located in Comanche County, Oklahoma, be stricken from the Consent Calendar.

Page H7748

Referrals: Twelve Senate-passed measures were referred to the appropriate House committees.

Page H7761

Senate Messages: Senate messages received today appear on page H7737.

Amendments: Amendments ordered printed pursuant to the rule appear on page H7762.

Quorum Calls—Votes: No quorum calls or votes developed during the proceedings of the House today.

Adjournment: Met at noon and adjourned at 1:55 p.m.

Committee Meetings

ANTIDRUG ABUSE AUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Health and the Environment held a hearing on S. 1735, to provide authorizations for antidrug abuse appropriations, and similar and related bills. Testimony was heard from Representative Stark; Lawrence H. Thompson, Assistant Controller General, Human Resources, GAO; and public witnesses.

MISSILE TECHNOLOGY CONTROL REGIME

Committee on Foreign Affairs: Subcommittee on Arms Control, International Security and Science and the

Subcommittee on International Economic Policy and Trade held a joint hearing on Missile Technology Control Regime. Testimony was heard from Richard Clarke, Assistant Secretary, Bureau of Politico-Military Affairs, Department of State; Henry Sokolski, Deputy, Nonproliferation Policy, International Security Affairs, Department of Defense; Jim LeMunyon, Deputy Assistant Secretary, Export Administration, Department of Commerce; and Norm Wulf, Deputy Assistant Director, Nuclear and Weapons Control, U.S. Arms Control and Disarmament Agency.

COMMITTEE MEETINGS FOR TUESDAY, OCTOBER 31, 1989

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs, to hold hearings to examine the safety and soundness of government sponsored enterprises (GSE's), 10 a.m., SD-538.

Full Committee, to resume oversight hearings to review the investigation of the HUD moderate rehabilitation program (Section 8), 2:30 p.m., SD-538.

Committee on Energy and Natural Resources, to resume hearings on the Department of Energy's efforts to improve the operations and management of its atomic energy defense activities and its efforts to restore public credibility in the Department's ability to operate its facilities in a safe and environmentally sound manner, and on S. 972, S. 1304, and other related measures with respect to the environment, safety, and health aspects of operation of the Department of Energy's nuclear facilities, 9:30 a.m., SD-366.

Committee on Foreign Relations, to hold open and closed hearings on S. 1227, to restrict proliferation of missiles and missile equipment and technology, and S. 1421, to provide for sanctions on persons who export, transfer, or otherwise engage in the trade of certain items in violation of laws and regulations implementing the Military Technology Control Regime (MTCR), 10 a.m., SD-419.

Committee on the Judiciary, to hold hearings to review drug abuse prevention campaigns, 11 a.m., SD-226.

Committee on Labor and Human Resources, to hold hearings on S. 1675, to provide financial assistance for teacher recruitment and training, and S. 1676, to strengthen the teaching profession, 9:30 a.m., SD-430.

Subcommittee on Education, Arts, and Humanities, to hold hearings on S. 1540, to establish a program of grants for critical languages and area studies programs in elementary and secondary schools, and S. 1690, to establish programs to improve foreign language instruction, 2:30 p.m., SD-430.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see page E3601 in today's Record.

munications Sciences and its Office of Policy Analysis.

Finally, NTIA administers the Public Television Facilities Program [PTFP], a competitive matching grant program that supports public television and public radio facilities. While we have made great strides in bringing public television and radio to all Americans, there is still much ground to cover. A recent NTIA study determined that although 94 percent of the U.S. population receives at least one over the air public television signal, only 86 percent of the population receives at least one public radio signal. PTFP plays a crucial role in the continuing campaign to expand public television and radio coverage.

To fulfill its responsibilities, NTIA requires not only adequate funding but also sufficient independence and visibility. On January 6, 1989, then Secretary of Commerce, C. William Verity, announced organizational changes within the Commerce Department that would have reduced NTIA's status and autonomy. Under the Verity plan, NTIA was to report to the Under Secretary of Technology rather than directly to the Secretary undermining its ability to promote national telecommunications policies within the administration and in an international forum. In response, I joined with Chairman DINGELL, Congressman RINALDO, and other Members to raise concerns about the appropriateness of this change in an era where telecommunications industries are so closely linked to America's economic future. Recently, Secretary Robert Mosbacher announced plans to restore NTIA's independent status within the Commerce Department. I applaud this action, and I believe it reflects renewed appreciation for the importance of a strong, comprehensive national telecommunications policy, not only by the Congress, but also within the Bush administration.

The funding levels for NTIA contained in this legislation are consistent with the needs of the agency and the needs of our Government in the development and coordination of our national policy for the critical telecommunications industry. I urge my colleagues to support this legislation.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge the House to approve this legislation to authorize funds for NTIA, the President's Chief Policy Adviser on telecommunications issues.

I certainly congratulate the gentleman from Massachusetts [Mr. MARKEY] and the gentleman from New Jersey [Mr. RINALDO] for the foresight they have shown on the issues that are before us on telecommunications issues.

For those of you who have had an opportunity to visit southern California and see the work at Cerritos, CA, where there are all kinds of experiments going on with cable, with the telephone companies, with other units in the most modern techniques that are available to telecommunications and to give the people an opportunity to see them in action, they certainly are encouraged by this kind of development.

This is a clean bill, free of substantive legislation. Its funding levels are

not controversial, and do not exceed the President's budget request. This authorization will insure that NTIA runs at full strength for the next 2 fiscal years and can continue its fine work.

□ 1250

The minority members of the Committee on Energy and Commerce have no objections to the legislation, and I urge the House to support it.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume, and I will consume just an additional 30 seconds, and that is only to note that the last administration began a process which would have reduced the status of the NTIA, and in a fashion, I think, deemphasized or undermined our ability to be able to give the full focus to telecommunications as a centerpiece for ensuring that the United States does become the Electronic States of America in order to retain our world primacy in the economic sphere by the year 2000 and beyond.

Thankfully Secretary Mosbacher, the new Secretary of Commerce, has made the decision that he is going to elevate it, that he is going to retain, and, in fact, enhance, the position of this agency and to give it the luster, give it the attention, give it the credibility which it needs. That means we can work together on a bipartisan basis with the administration on these policies.

The gentleman from Michigan [Mr. DINGELL] and I, the ranking minority members, the gentleman from New York [Mr. LENT], the gentleman from New Jersey [Mr. RINALDO], and on down the line all worked together to put these issues together.

I hope the House can accept this place of legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 3310.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3310, the bill just passed.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION ACT OF 1989

Mr. MARKEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3265) to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3265

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Communications Commission Authorization Act of 1989".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS"

"Sec. 6. (a) There are authorized to be appropriated for the administration of this Act by the Commission \$109,831,000 for fiscal year 1990 and \$121,478,000 for fiscal year 1991, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1990 and 1991.

"(b) In addition to the amounts authorized to be appropriated under this section, not more than 4 percent of the amount of any fees or other charges payable to the United States which are collected by the Commission are authorized to be made available to the Commission until expended to defray the full distributed costs of such fees collection.

"(c) Of the amounts appropriated pursuant to subsection (a) for fiscal year 1991, such sums as may be necessary not to exceed \$2,000,000 shall be expended for upgrading and modernizing equipment at the Commission's electronic emissions test laboratory located in Laurel Maryland."

SEC. 3. COMMERCIAL RADIO OPERATOR EXAMINATIONS.

Section 4(f) of the Communications Act of 1934 (47 U.S.C. 154(f)) is amended by adding at the end the following new paragraph:

"(5)(A) The Commission, for purposes of preparing and administering any examination for a commercial radio operator license or endorsement, may accept and employ the services of persons that the Commission determines to be qualified. Any person so employed may not receive compensation for such services, but may recover from examinees such fees as the Commission permits, considering such factors as public service and cost estimates submitted by such person.

"(B) The Commission may prescribe regulations to select, oversee, sanction, and dismiss any person authorized under this paragraph to be employed by the Commission.

"(C) Any person who provides services under this paragraph or who provides goods in connection with such services shall not, by reason of having provided such service or goods, be considered a Federal or special government employee."

SEC. 4. TRAVEL REIMBURSEMENT PROGRAM.

Section 4(g)(2)(D) of the Communications Act of 1934 (47 U.S.C. 154(g)(2)(D)) is amended by striking "1989" and inserting "1991".

SEC. 5. COMMUNICATIONS SUPPORT FROM OLDER AMERICANS.

Section 6(a) of the Federal Communications Commission Authorization Act of 1938 (47 U.S.C. 154 note) is amended by striking "and 1989" and inserting ", 1989, 1990, and 1991".

SEC. 6. TARIFF NOTICE PERIOD.

Section 203(b) of the Communications Act of 1934 (47 U.S.C. 203(b)) is amended—

(1) in paragraph (1), by striking "ninety days notice" and inserting "120 days notice"; and

(2) in paragraph (2), by striking "ninety days" and inserting "120 days".

SEC. 7. AMATEUR RADIO SERVICE RECIPROCAL PERMITS.

(a) **IN GENERAL.**—Section 303(d)(3) of the Communications Act of 1934 (47 U.S.C. 303(d)(3)) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting "multilateral or bilateral agreement, to which the United States and the alien's government are parties."

(b) **CONFORMING AMENDMENT.**—Section 310(c) of the Communications Act of 1934 (47 U.S.C. 310(c)) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting "multilateral or bilateral agreement, to which the United States and the alien's government are parties."

SEC. 8. WILLFUL OR MALICIOUS INTERFERENCE.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

"WILLFUL OR MALICIOUS INTERFERENCE

"Sec. 333. No person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this Act or operated by the United States Government."

SEC. 9. CONSIDERATION OF IMPACT ON COMMERCE IN PUBLIC INTEREST DETERMINATIONS.

Section 4 of Communications Act of 1934 (47 U.S.C. 154) is amended by adding at the end thereof the following new subsection:

"(p) In making any finding with respect to the public interest as required for purposes of any decision or determination under this Act (other than a decision or determination with respect to the certification of equipment), the Commission may, in its discretion, assess the impact of that decision or determination on the foreign commerce of the United States."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **MOORHEAD**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from Massachusetts [Mr. **MARKEY**] will be recognized for 20 minutes, and the gentleman from California [Mr. **MOORHEAD**] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. **MARKEY**].

Mr. **MARKEY**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, although the point does not have to be made, I think at the same time it bears repeating, and that is that the legislation which we have produced is something which is done on a bipartisan basis. Our entire

committee, from the gentleman from Michigan [Mr. **DINGELL**] on down, really do believe it is critical for us to have a comprehensive national policy which will make it possible for us to fully capture all the opportunities which this global telecommunications revolution is offering to us.

The Federal Communications Commission, along with the NTIA, are the two key agencies. It would be like trying to separate Babe Ruth and Lou Gehrig. One really cannot do it. They each have worked together, and they have to be complementary. We have to have some sense of a common direction that we are going to be going in this area of telecommunications. That is why this legislation, as amended, increases funding for the FCC for fiscal year 1991.

When the Commission provided the subcommittee with its initial estimate regarding its requirements for fiscal year 1991, it requested outlays of \$117.8 million. Subsequently, the Commission initiated a comprehensive review of its requirements and determined that an additional \$3.7 million would be required for full funding of the agency's needs, bringing the total fiscal year 1991 funding to \$121.5 million.

□ 1300

The Commission asserted that the additional \$3.7 million would permit the repair and the replacement of antiquated technical equipment, the improvement of the FCC's computer operations, the replacement of motor vehicles used for field monitoring and enforcement operations and the hiring of new employees.

We support this. We believe this is critical, that we give this kind of support to the Federal Communications Commission, that we continually identify where the opportunities are for the American society to move into these critical areas and to take full opportunity for all our citizens.

That is why this bill is here on a bipartisan basis. It seeks to once again build that bridge which is going to be necessary in our country if we are to compete internationally.

The FCC plays a critical role in that issue, along with the NTIA. Our hope is the bill can be accepted unanimously by the Congress because that sends the right signal to the agency and to the rest of the world that we are serious about international competition in the telecommunications area.

Mr. Speaker, I rise in support of H.R. 3265, the Federal Communications Commission Authorization Act of 1989 which authorizes for fiscal years 1990 and 1991.

Today, as we enter an unprecedented period in the evolution of America's telecommunications industries, the role of the FCC is critical to promoting a competitive marketplace, providing timely and effective regulation, and encouraging the continued development of efficient, innovative communications facilities and services. This independent agency must have the resources needed to

implement congressional policies, to regulate the dynamic, burgeoning telecommunications industry and to carry out its statutory responsibilities to promote the public interest.

The Commission and its staff must not only be able to manage new sophisticated technologies and the complex domestic marketplace in which they reside but also understand how emerging technologies will affect U.S. competitiveness and our economic primacy as we prepare for the year 2000. The legislation we are considering today will ensure that the FCC has adequate resources to meet its growing mandate.

During the subcommittee markup I offered on behalf of myself and my good friend, the gentleman from New Jersey [Mr. **RINALDO**] an amendment in the nature of a substitute. The legislation before us today contains several provisions requested by the Commission that were added during subcommittee markup and that significantly improved the legislation.

The legislation, as amended, increases funding for the FCC for fiscal year 1991. When the Commission provided the subcommittee an initial estimate regarding its requirements for fiscal year 1991, it requested outlays totaling \$117.8 million. Subsequently, the Commission initiated a comprehensive review of its requirements and determined that an additional \$3.7 million would be required for full funding of the agency's needs, bringing the total fiscal year 1991 request to \$121.5 million. The Commission asserts that the additional \$3.7 million will permit the repair and replacement of antiquated technical equipment, the improvement of the FCC's computer operations, the replacement of motor vehicles used for field monitoring and enforcement operations and the hiring of new employees to replace personnel who left, but were not replaced, during the Commission's 2-year hiring freeze.

The Commission has enormous responsibilities in this rapidly changing technological environment. As we in Congress press the Commission to reduce delays when considering applications, to speed up its testing and type processing activities and to increase its enforcement activities, I believe it imperative that we provide it adequate resources to fulfill its statutory mandate. I support the Commission's request for a small increase in its authorized funding level.

H.R. 3265, as amended, also makes several other noncontroversial, but important, changes in existing Commission policy and procedure. First, the legislation would permit the FCC to delegate its commercial radio operator examination services to outside parties. The legislation also would authorize the Commission to make changes in amateur radio reciprocal permits. Under the legislation, amateur radio operations in the United States would be permitted to operate radio equipment in any country that is party to the multilateral agreement.

The Commission also requested inclusion in this legislative package language prohibiting willful or malicious interference to radio communications. The language contained in H.R. 3265 substantially would assist the Commission in curtailing willful and malicious interference by clearly making such activity a criminal offense subject to fines of up to \$10,000 or imprisonment for up to 1 year, or both, for a first offense, and the same fine limitations and

up to 2 years imprisonment for repeated offenses.

The legislation permits the Commission to retain not more than 4 percent of the amount of any fees or other charges collected by the Commission to defray the cost of such collection. In the recent budget reconciliation package, the House and Senate agreed on an expanded fee program for the FCC. Implementation of the fee program by the FCC will require utilization of additional resources, and this amendment will ensure that the Commission has those resources. The 4-percent figure contained in this substitute reflects a compromise between the 6-percent figure requested by the Commission and the 2-percent figure contained in the Senate authorization legislation.

In addition, the full committee adopted a provision to clarify and make explicit the Commission's existing authority to assess the effect of each of its decisions or determinations on foreign commerce of the United States. In adopting this provision the committee was expressing the concerns that while the United States has a policy of open entry into our telecommunications market the policies of foreign nations are impeding the ability of U.S. companies to offer their telecommunications services abroad.

I believe this legislation will meet the current and anticipated needs of the Commission, and I urge the members of the full committee to join me in supporting the bill.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. SWIFT].

(Mr. SWIFT asked and was given permission to revise and extend his remarks.)

Mr. SWIFT. Mr. Speaker, I thank the gentleman for yielding me this time.

I just wish to make a couple of points in relation to this authorization.

Mr. Speaker, first of all, the Federal Communications Commission is a regulatory agency that has over a period of most recent years done a lot of deregulation. This would lead one intuitively to assume that their regulatory responsibility was less, that they might be able to do it with less personnel, that they might be able to carry out their responsibilities with less money. The fact is that deregulation in the communications industry has meant, inadvertently perhaps, the proliferation of companies to be regulated. For example, in the telephone industry alone, it used to be that if one did an adequate job of regulating AT&T, they pretty well covered the waterfront. AT&T was broken up, and now we have seven regional operating companies plus AT&T, so we have, in a sense, increased the regulatory responsibility eightfold, in addition to which the FCC presides over an area in which technology is absolutely exploding. The regulatory responsibilities of the FCC are greater.

Mr. Speaker, I have been a fairly vocal critic of recent Federal Communications Commissions. I have high hopes for the current Commission as

being one that Congress can work with. I believe that Congress has a possibility of overregulating because of past experience with a Commission that did not want to do its job and its regulatory responsibilities. That can mean that for some time we can overlegislate. We can intrude too deeply into details that ought to be left alone for a regulatory agency.

I would hope that those at OMB who seem to have the final word in all of these things would realize that, first, the regulatory responsibilities of this particular Commission have not been reduced, that technological change, in fact, is increasing their regulatory responsibilities, and that the greatest assurance that there will not be overdrafting of legislation by Congress is for Congress to be comfortable that the agency with the regulatory authority has all of the resources necessary to do a crackerjack job of regulation. I believe this FCC has the will, but I am not at all sure that it has the means, and as the current members of the Commission get into their jobs more thoroughly and as they begin to make their recommendations to the administration on what their budget needs are in order to be able to do their job adequately, it is my hope that OMB will understand that the judgments it makes in that regard are crucial to the effectiveness of the agency at hand.

The other point that I would like to raise is I believe the committee at some point in the future needs to examine as to whether or not we need to extend just a touch more authority to the FCC. In this respect, there are decisions being made by the FAA, the Federal Aeronautics Administration, which impinge on some of the responsibilities of the FCC. An example is a building in the city of Seattle which the FAA permitted to be built at a certain height, the building of which interfered with the signals of three major television stations in Seattle. It seems to me that consulting with the FCC prior to that decision would have been appropriate.

Interestingly enough, those television stations now need to raise their towers in order to clarify their signals again. Who are they dealing with primarily? With the FAA. Clearly this is an area in which we have legitimate but conflicting governmental concerns in both agencies, and I would hope that we can provide a means in next year's legislation that will see that the FCC gets an opportunity to express its concerns and its policy problems with decisions made by the FAA where those two agencies' authority come into juxtaposition. I think this should be done with appropriate consultation with other authorization committees in the Congress, not looking to have any interference with the responsibilities of the FAA in its pursuit of safety questions dealing with air travel at all, but I think they should not be able to make their judgment unilaterally

without input from the regulatory agency which has the responsibility to be sure that the broadcasting stations of America can carry out their work without interference.

Those are two things for the future.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to support the FCC authorization bill as amended by the Energy and Commerce Committee.

This bill is free of controversial items. It provides the FCC with the full amount it requested for fiscal 1990. It also gives the agency a \$12 million increase in funding for fiscal 1991, to \$121 million. This takes into account the costs associated with the FCC's move to new quarters, as well as funding to refurbish its lab and get the agency back to full strength. It is money that the agency sorely needs.

The committee added an amendment to make explicit the FCC's authority with respect to trade policy. The committee's majority and minority worked together on this amendment, and it passed the committee by voice vote.

The administration's fears that this amendment may direct the Commission to make trade policy have been addressed. This amendment creates no new FCC authority; it only permits the Commission to take into account trade policies set by the President. The amendment and the committee report make clear that the executive branch makes trade policy: The Commission can make rules consistent with it, but is not given power to deviate from the policies of the President.

I commend the chairman of the Energy and Commerce Committee, the gentleman from Michigan [Mr. DINGELL]; the chairman of the Telecommunications Subcommittee, the gentleman from Massachusetts [Mr. MARKEY]; and the ranking Republican members of the full committee and subcommittee, Mr. LENT and Mr. RINALDO, for their work on this authorization bill. I urge the House to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. FRENZEL].

(Mr. FRENZEL asked and was given permission to revise and extend his remarks.)

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Speaker, I rise at the request of the gentleman from Florida [Mr. GIBSON], chairman of the Subcommittee on Trade of the Committee on Ways and Means, in hopes of clarifying our understanding of section 9 of the bill on page 6.

Mr. Speaker, in a December 1986 notice of inquiry and proposed rule-making, the FCC sought public com-

ment on whether it can and should promote trade reciprocity by taking actions to limit access to the U.S. market by foreign-owned providers of telecommunications goods and services based on whether their home markets were open or closed. The overwhelming public response opposed such a policy, and the administration, among others, argued that the FCC has no statutory authority to take actions based on a policy of reciprocity with our trading partners.

In its December 1988 public statement dropping its notice of inquiry and proposed rulemaking, the Commission stated in part that "it believes that as a matter of policy the Commission should not take action, including information collection, solely for trade purposes.

The United States has an international obligation to provide national treatment—that is, to treat foreign companies no less favorably than the most favored domestic companies in the U.S. market. Moreover, a number of trade statutes, including the Telecommunications Trade Act of 1988 and section 301 of the Trade Act of 1974, give the President and the U.S. Trade Representative specific authorities relating to international trade in telecommunications goods and services.

In the view of the gentleman from Massachusetts [Mr. MARKEY], does the language of section 9 in any way alter the FCC's authority in this area or give it a basis upon which to impose a policy of reciprocity in its actions affecting foreign providers of goods or services in the U.S. market?

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

Mr. Speaker, no, section 9 does not alter the FCC's statutory authority in the area of trade in any way and does not give that agency the authority to impose limitations on foreign telecommunications providers on the basis of a policy of reciprocity.

Mr. FRENZEL. Mr. Speaker, the gentleman from Florida [Mr. GIBBONS] and I thank the distinguished subcommittee chairman for the clarification.

Mr. MARKEY. Mr. Speaker, I yield myself 30 seconds so that I may conclude.

Mr. Speaker, again we do this legislation on a bipartisan basis. Mr. RINALDO, Mr. MOORHEAD, Mr. LENT, Mr. DINCCELL, myself and all of our subcommittee members, working together; David Leach, full committee staff person, working in coordination with the majority and minority staff legislative counsel.

Our goal is to make sure that the FCC gives our domestic telecommunications industry a positive, affirmative way of looking at the opportunities which are out there in the field of telecommunications.

They have a broad jurisdiction: all the telephone companies, the cable companies, television companies, you go right down the line; it is such a broad jurisdiction with so many key industries in our country that it is important that we develop on a bipartisan basis a view of the world that is very positive and will give those companies the niche they want in the American marketplace that will make us the envy of the world because they will go out there and make our country competitive if we have created that kind of environment.

Our goal is to work together with all committees in order to accomplish that goal.

Mr. Speaker, I hope that the House will accept our piece of legislation. We think it is a good one, one that will advance the long-term interests of our country.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 3265, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 3265 the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

M.P. DANIEL AND THOMAS P. CALHOON, SR., POST OFFICE BUILDING

Mr. HAYES of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 922) to designate the building located at 1515 Sam Houston Street in Liberty, TX, as the "M.P. Daniel and Thomas F. Calhoon, Sr. Post Office Building".

The Clerk read as follows:

H.R. 922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the building located at 1515 Sam Houston Street in Liberty, Texas, known as the United States Post Office Building, is designated as the "M.P. Daniel and Thomas F. Calhoon, Senior, Post Office Building". Any reference to such building in any law, map, regulation, document, or other paper of the United States shall be deemed to be a refer-

ence to the M.P. Daniel and Thomas F. Calhoon, Senior, Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Illinois [Mr. HAYES] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PERRI] will be recognized for 20 minutes.

The Chair recognized the gentleman from Illinois [Mr. HAYES].

Mr. HAYES of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, not often is a community so blessed that it can look to two outstanding people as deserving namesakes for a public building. This is the case, however, in Liberty, TX. I believe it quite fitting to designate the Liberty Post Office as the "M.P. Daniel and Thomas F. Calhoon, Sr. Post Office Building."

The late M.P. Daniel was a postmaster in Dayton, TX. He was an active supporter of the U.S. Postal Service throughout his life. It was due to his almost single-handed effort that the Liberty, TX Post Office Building became a reality back in the 1930's.

Mr. Thomas F. Calhoon, Sr. was commissioned postmaster under President William McKinley in 1897. Mr. Calhoon died in 1937 at the age of 88 after more than 17 years as Liberty's postmaster. His service started a tradition in the Calhoon family. Three generations of Calhoons have contributed over 50 years to the community as postmasters.

Both men are remembered for their commitment to community service and dedication to progress in Liberty County. There is a great deal of support in Liberty for this building dedication, and I urge the support of my colleagues for this bill.

Mr. Speaker, I reserve the balance of my time.

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Mr. PERRI. Mr. Speaker, I yield myself such time as I may consume.

The minority has been consulted on this bill, and I am informed by the gentleman from New York [Mr. GILMAN] that the minority has no objection to passage, and feel it is an appropriate piece of legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HAYES of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Illinois [Mr. HAYES] that the House suspend the rules and pass the bill, H.R. 922.

The question was taken; and (two-thirds having voted in favor thereof)