

HEINONLINE

Citation: 6 Bernard D. Reams Jr. & William H. Manz Federal
Law A Legislative History of the Telecommunications
of 1996 Pub. L. No. 104-104 110 Stat. 56 1996
the Communications Decency Act H10911 1997

Content downloaded/printed from
HeinOnline (<http://heinonline.org>)
Wed Mar 20 18:47:48 2013

- Your use of this HeinOnline PDF indicates your acceptance
of HeinOnline's Terms and Conditions of the license
agreement available at <http://heinonline.org/HOL/License>

- The search text of this PDF is generated from
uncorrected OCR text.

bills: H.R. 526, H.R. 1200, H.R. 1889, H.R. 1286, and H.R. 1181.

The SPEAKER (Mr. HOYER). Is there objection to the request of the gentleman from Maryland?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF VARIOUS BILLS

Mr. GORDON. Mr. Speaker, I ask unanimous consent to have my name removed from the sponsorship of the following bills: H.R. 2010, H.R. 634, H.R. 1286, H.R. 937, and H.R. 1078.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

INTRODUCTION OF H.R. 3626, THE ANTITRUST REFORM ACT OF 1993

(Mr. BROOKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOKS. Mr. Speaker, 18 months ago, I introduced legislation (H.R. 5096) in the 102d Congress that was designed to establish a broad-based competition policy to guide this Nation's telecommunications industry into the 21st century. At that time, there was fragmented policy orientation in the courts, throughout the enforcement agencies, and in the Halls of Congress. Piecemeal, one sided solutions seemed to be the easy and preferred choice for many who wished to avoid the hard decisions needed to formulate a comprehensive approach for all sectors of the industry. Having watched the confusion in all branches of Government, I finally reached the decision that it was time to change the dynamic and I think that last year's effort made a real difference in serving notice that change was on the way.

And much has changed since I introduced H.R. 5096. Tonight—as the first session of the 103d Congress moves rapidly to adjournment—I am pleased to be introducing—with my good friend, Chairman JOHN DINGELL—comprehensive telecommunications legislation to spur competition and accelerate innovation in what may be our most critical strategic industry. The legislation (H.R. 3626) obviously builds upon my antitrust legislative effort last year but expands its reach to encompass legitimate and vital communications policy concerns as well.

Many thought this moment would not come. The naysayers were fond of predicting that two committee chairmen, who both believe in and strongly defended their jurisdictional interests, would never be able to fashion a product together. Some may have even hoped that jurisdictional gridlock would win out as it has so often in the past—so that anarchy in the markets would not be replaced by the larger vision of what is needed to keep telecommunications the prized industry that it is. I am happy to say that our

mutual interests and deep concern for this vital industry transcended all other concerns.

The Brooks-Dingell legislation establishes a blueprint of the all important transition to a new State for all market sectors will be opened up to robust competition, with the added benefits of better products and services at lower prices. In the process, however, we cannot allow small- and mid-size niche player—who have made this industry such a diverse and innovative one in the past decade—to fall by the wayside. Similarly, our national interest is not served by unreasonably restricting new entrants to use their demonstrated skills and resources in furthering the technological revolution provided competitive entry and public interest concerns are met.

When the next session comes, you can be assured that two chairmen are going to be moving together to have this legislation proceed with all due speed through the legislation process.

INTRODUCTION OF H.R. 3626

(Mr. DINGELL asked and was given permission to address the House for 1 minute.)

Mr. DINGELL. Mr. Speaker, I am pleased and honored to join my good friend, JACK BROOKS, in the introduction of H.R. 3626. This is important legislation that creates a process for phasing out the Modification of Final Judgment (MFJ) that governs much of the behavior of the Bell Operating Co.'s.

This legislation is important for many reasons. First, it will affect virtually every American. It will help to ensure that America's telecommunications companies retain their world leadership, and will usher in a new age of telecommunications services that will improve the quality of life for everyone.

Second, it is important because, with the enactment of this legislation, Congress will reclaim its rightful role in formulating telecommunications policy. For the last 10 years, U.S. District Judge Harold Green has regulated the Bell Co.'s, and the extent to which they are able to freely and fairly compete in the telecommunications marketplace. This legislation will change all that.

Finally, it is important because it demonstrates that this institution works—and works well. This bill represents a compromise among many different perspectives and interests, as many people of good will worked together to craft a balanced policy.

Since the negotiations that resulted in this legislation were only completed a short time ago, we do not yet have a summary of its provisions. That will come tomorrow. But I would like to say a few words of gratitude about the people who contributed to this legislation.

First among these is JACK BROOKS. JACK and I come at this debate from opposite poles. It is my belief that the Bell Co.'s should be freed of the MFJ

restraints. By contrast, last year JACK introduced H.R. 5096, which was vigorously opposed by the Bells and many of their allies.

Yet JACK and I both understand that the only way that comprehensive legislation can move through this institution is for balances to be struck; for compromises to be reached, and for opponents to work with each other. That is what we have done, and that is the reason that we are able to join together today and introduce this bill. It is not a bill that I would have crafted; it is not a bill that JACK would have authored. But it is a compromise that we can both support, and I have enormous respect for JACK's willingness to compromise and work together with me so that we could resolve our differences and introduce this bill.

I would also like to thank our colleague, ED MARKSY, the chairman of the Commerce Committee's Subcommittee on Telecommunications and Finance. Chairman MARKSY has built an impressive record on the need to reform our Nation's telecommunications laws, and has today introduced legislation to accomplish much of what needs to be done.

In addition, our colleague, BILLY TAUBEN has worked closely with me for many years to rationalize the application of the MFJ restrictions. I know he will continue to contribute to this process as H.R. 3626 moves through the legislative process.

Finally, I would also like to thank my good friend and colleagues on the Energy and Commerce Committee, JIM SLATTERY. JIM has led the effort to permit the Bell Co.'s to manufacture telecommunications equipment, and has worked closely with the Communications Workers, the IBEW, and the Bell Co.'s themselves. In addition, he has also succeeded in working with the disabled community to ensure that network developments and advances in equipment technology are accessible to those with disabilities, so that they may be full participants in the information age.

Mr. Speaker, the legislation my good friend, JACK BROOKS and I are introducing will, I suspect, be of considerable interest to the Members when we return next January. We will be furnishing more comprehensive summaries and explanations of the bill in the coming days. But I wanted to take this opportunity to thank JACK and all of our other colleagues who have assisted—each in different ways—in the production of this legislation. We have succeeded in crafting a balanced bill, and it is my intention to bring the bill before the full House for a vote early in the next session.

Document No. 144

