

105TH CONGRESS  
1ST SESSION

# S. 954

To assure competition in telecommunications markets.

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 1997

Mr. KERREY introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To assure competition in telecommunications markets.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Telecommunications  
5       Monopoly Prevention Act”.

6       **SEC. 2. CONTRIBUTION TO COMPETITION.**

7       Any merger, takeover, or acquisition involving two or  
8       more large telecommunications companies shall not be ap-  
9       proved by the Attorney General unless the Attorney Gen-  
10      eral finds that such combination would significantly en-  
11      hance competition in the telecommunications markets  
12      served by the companies involved in the transaction.

1 **SEC. 3. POTENTIAL COMPETITION.**

2 In making a determination under this Act, the Attor-  
3 ney General shall fully consider the loss of potential com-  
4 petition should a combination covered by this Act be ap-  
5 proved.

6 **SEC. 4. REPORT TO CONGRESS.**

7 Within 6 months from the date of enactment and  
8 each year thereafter, the Attorney General shall report to  
9 the Congress and the President on competition in markets  
10 where combinations of large telecommunications carriers  
11 have been approved since the enactment of the Tele-  
12 communications Act of 1996.

13 **SEC. 5. DEFINITION.**

14 For the purposes of this Act, the term “large tele-  
15 communications company” shall include—

16 (1) local exchange carriers serving more than 2  
17 percent of the Nation’s subscriber lines installed in  
18 the aggregate nationwide;

19 (2) facilities based interexchange carriers serv-  
20 ing more than 10 percent of the long distance mar-  
21 ket nationwide;

22 (3) provider of video services which provides  
23 service to more than 1 percent of households nation-  
24 wide;

25 (4) a provider of Direct Broadcast Satellite  
26 Service; or

- 1           (5) a provider of telecommunications services  
2       owned or controlled by a foreign government.

