

alleging that purchases made in Nevada *after* the concocted Nevada residency date are California residency connections for the period *before* this concocted Nevada residency date in order to attempt to support this date.

Actual Nevada receipts are not Nevada connections while false California receipts that the FTB concocts are California connections.

A credit-card purchase made in Nevada for use in a Nevada house is a California residency connection if the credit-card charge, unknown to the Nevadan, is cleared through a California credit-card office.

A California driver's license, surrendered to the Nevada DMV upon obtaining a Nevada driver's license, is a California residency connection because the surrendered California driver's license had not yet expired while the Nevada driver's license is not a Nevada residency connection because it is easy to get.

Gifts sent by a Nevadan to an adult child or a grandchild living in California constitutes a California residency connection.

Checks drawn on a Nevada bank are California residency connection even though the checks were written in Nevada by a Nevada resident to Nevada workers for work done on a Nevada house and where the checks were even cashed in Nevada; and a regulated investment company open-ended fund (a mutual-fund money-market account) was deemed by the FTB auditor to be a California bank account constituting a California residency connection and a basis for a fraud determination even though the FTB Legal branch gave a legal opinion stating that the regulated investment company is not a bank and normally not a California residency connection.

This is only a partial list of the kind of absurd considerations that the FTB will use to rationalize its residency determinations. Such far-fetched and concocted California connections are what the FTB relies upon to support its residency determinations—the FTB must make the most of what it has available and what it can concoct in order to extort California income taxes from nonresidents.

CELEBRATING THE SERVICE OF MS. EMILY AMOR

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise today to recognize a wonderful woman and exemplary citizen of the District of Columbia. Ms. Emily A. Amor is now 96 years old and has just been named the "Volunteer of the Century" by the Central Union Mission. She has been an active volunteer for almost 20 years.

Her dedication to God, to her country and to those in need has been proven through a lifetime of service. She has served by praying, working and volunteering. Her commitment has led her to join me every Wednesday morning at 7 am to pray for the city of Washington, DC, its leaders and its residents. She has served meals to the homeless on every major holiday for years. And before retiring at age 70, she worked with the Department of Housing and Urban Development.

She is truly an amazing example of a selfless servant. She has a heart-felt compassion for others, especially those who are poor and

hurting. Her life has truly exemplified Jesus Christ's example of loving one's neighbor, no matter who they might be. I only hope that I can have half as much life in me as she does when I reach age 96.

I ask my colleagues to join me in commending Emily for all of her great work. I am glad to be able to call her a friend and am humbled by her servant's heart. I wish her the best for many years to come.

THE NUCLEAR WEAPONS DE- ALERTING RESOLUTION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. MARKEY. Mr. Speaker, 54 years ago tomorrow a single bomb in a single city changed our world. The atomic bomb dropped on Hiroshima leveled the city, engulfed the rubble in a fireball, and killed 100,000 people. Three days later another 70,000 people died at Nagasaki, and people are still dying today from leukemia and other remnants of those explosions.

The victims of Hiroshima cast shadows from the explosion's blinding light that were permanently etched not only in the remaining buildings but also in our souls. Since August 6th, 1945 we have lived in fear that such nuclear destruction would happen again, perhaps in the United States. Today, the accidental launch of a single missile with multiple warheads could kill 600,000 people in Boston, or 3,000,000 people in New York, or 700,000 people in San Francisco or right here in Washington, DC. If that missile sparked a nuclear exchange, the result would be worldwide devastation.

For 40 years of Cold War we played a game of nuclear chicken with the Soviet Union, racing to make ever more nuclear bombs, praying that the other side would turn aside. During the Cuban missile crisis and many other times we came perilously close to going over the cliff. Then in 1991 the Cold War and the Soviet Union ended. Yet today we not only keep hundreds of nuclear missiles with nowhere to point them, we keep many of them ready to fire at a moment's notice.

This threat from this "launch-on-warning" policy is real. On January 25, 1995, when Russia radar detected a launch off the coast of Norway, Boris Yeltsin was notified and the "nuclear briefcase" activated. It took eight minutes—just a few minutes before the deadline to respond to the apparent attack—before the Russian military determined there was no threat from what turned out to be a U.S. scientific rocket. The U.S. is not immune: on November 9, 1979 displays at four U.S. command centers all showed an incoming full-scale Soviet missile attack. After Air Force planes were launched it was discovered that the signals were from a simulation tape.

And the danger of an accidental nuclear war is growing. The Russian command and control system is decaying. Power has repeatedly been shut off in Russian nuclear weapons facilities because they couldn't afford to pay their electricity bills. Communications at their nuclear weapons centers have been disrupted because thieves stole the cables for their copier. And at New Year's the "Y2K" bug in com-

puters that are not programmed to recognize the year 2000 could cause monitoring screens to go blank or even cause false signals.

There is no reason to run the terrible risk of an accidental nuclear war. It is hard today to imagine a "bolt out of the blue" sudden nuclear attack. And even if the U.S. was devastated by an attack, the thousands of nuclear warheads we have on submarines would survive unscathed. Keeping weapons on high alert is an intemperate response to an implausible event.

Mr. Speaker, it is time to take a large step away from the brink of nuclear war, to take our nuclear weapons off of hair-trigger alert. Today I am introducing a resolution that expresses the sense of Congress that we should do four things:

We should immediately remove some nuclear weapons from high alert.

We should study methods to further slow the firing of all nuclear weapons.

We should use these unilateral measures to jump-start an eventual agreement with Russia and other nuclear powers to take all weapons off of alert.

And we should quickly establish a joint U.S.-Russian early warning center before the Year 2000 turnover.

These are not new or radical ideas. President George Bush in 1991 ordered an immediate standdown of nuclear bombers and took many missiles off of alert. President Gorbachev reciprocated a week later by deactivating bombers, submarines, and land-based missiles. Leading security experts including former Senator Sam Nunn, former Strategic Air Command chief Gen. Lee Butler, and a National Academy of Sciences panel have endorsed further measures to take weapons off of high alert. Two-third of Americans in a 1998 poll support taking all nuclear forces off alert, and this week I received a petition signed by 270 of my constituents from Lexington, MA calling on the President to de-alert nuclear missiles.

I urge my colleagues to join together to co-sponsor this resolution. The best way we can commemorate the anniversary of the nuclear explosion at Hiroshima is to make sure we will never blunder into an accidental nuclear holocaust.

INTRODUCTION OF LEGISLATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. PICKERING. Mr. Speaker, I rise today to address one of the many reforms I believe are necessary to improve the administrative processes of the Federal Communications Commission (FCC). The issue that I believe needs to be addressed immediately relates to the proliferation of merger activity in the telecommunications industry.

Since passage of the Telecommunications Act of 1996, the industry has seen massive upheaval as companies try to position themselves for the new Information Age economy. Many of these companies are attempting to combine their strengths to better position themselves to compete in a deregulated marketplace. One of the problems these companies have faced recently is the regulatory uncertainty of the FCC's merger review process.

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 importance 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 million 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 \$64 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