

settlements with other similarly situated licensees. To ensure speedy service to cellular customers, the FCC would have 90 days from date of enactment to award permanent licenses, and if any company failed to comply with FCC requirements the FCC would auction the license. The licenses would be subject to a five-year transfer restriction, and the Minnesota and Florida licenses would be subject to accelerated build-out requirements.

I am submitting a copy of this legislation to be included in the RECORD.

H.R. —

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

#### **SECTION 1. REINSTATEMENT OF APPLICANTS AS TENTATIVE SELECTEES.**

(a) IN GENERAL.—Notwithstanding the order of the Federal Communications Commission in the proceeding described in subsection (c), the Commission shall—

(1) reinstate each applicant as a tentative selectee under the covered rural service area licensing proceeding; and

(2) permit each applicant to amend its application, to the extent necessary to update factual information and to comply with the rules of the Commission, at any time before the Commission's final licensing action in the covered rural service area licensing proceeding.

(b) EXEMPTION FROM PETITIONS TO DENY.—For purposes of the amended applications filed pursuant to subsection (a)(2), the provisions of section 309(d)(1) of the Communications Act of 1934 (47 U.S.C. 309(d)(1)) shall not apply.

(c) PROCEEDING.—The proceeding described in this subsection is the proceeding of the Commission in re Applications of Cellwave Telephone Services L.P., Futureware General Partners L.P., and Great Western Cellular Partners, 7 FCC Rcd No. 19 (1992).

#### **SEC. 2. CONTINUATION OF LICENSE PROCEEDING; FEE ASSESSMENT.**

(a) AWARD OF LICENSES.—The Commission shall award licenses under the covered rural service area licensing proceeding within 90 days after the date of the enactment of this Act.

(b) SERVICE REQUIREMENTS.—The Commission shall provide that, as a condition of an applicant receiving a license pursuant to the covered rural service area licensing proceeding, the applicant shall provide cellular radio-telephone service to subscribers in accordance with sections 22.946 and 22.947 of the Commission's rules (47 CFR 22.946, 22.947); except that the time period applicable under section 22.947 of the Commission's rules (or any successor rule) to the applicants identified in subparagraphs (A) and (B) of section 4(I) shall be 3 years rather than 5 years and the waiver authority of the Commission shall apply to such 3-year period.

CALCULATION OF LICENSE FEE.—

(1) FEE REQUIRED.—The Commission shall establish a fee for each of the licenses under the covered rural service area licensing proceeding. In determining the amount of the fee, the Commission shall consider—

(A) the average price paid per person served in the Commission's Cellular Unserved Auction (Auction No. 12); and

(B) the settlement payments required to be paid by the permittees pursuant to the consent decree set forth in the Commission's order, in re the Tellesis Partners (7 FCC Rcd 3168 (1992)), multiplying such payments by two.

(2) NOTICE OF FEE.—Within 30 days after the date an applicant files the amended application permitted by section 1(a)(2), the Commission shall notify each applicant of

the fee established for the license associated with its application.

(d) PAYMENT FOR LICENSES.—No later than 18 months after the date that an applicant is granted a license, each applicant shall pay to the Commission the fee established pursuant to subsection (c) of this section for the license granted to the applicant under subsection (a).

(e) AUCTION AUTHORITY.—If, after the amendment of an application pursuant to section 1(a)(2) of this Act, the Commission finds that the applicant is ineligible for grant of a license to provide cellular radio-telephone services for a rural service area or the applicant does not meet the requirements under subsection (b) of this section, the Commission shall grant the license for which the applicant is the tentative selectee (pursuant to section 1(a)(1)) by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

#### **SEC. 3. PROHIBITION OF TRANSFER.**

During the 5-year period that begins on the date that an applicant is granted any license pursuant to section 1, the Commission may not authorize the transfer or assignment of that license under section 310 of the Communications Act of 1934 (47 U.S.C. 310). Nothing in this Act may be construed to prohibit any applicant granted a license pursuant to section 1 from contracting with other licensees to improve cellular telephone service.

#### **SEC. 4. DEFINITIONS.**

For the purposes of this Act, the following definitions shall apply:

(1) APPLICANT.—The term "applicant" means—

(A) Great Western Cellular Partners, a California general partnership chosen by the Commission as tentative selectee for RSA #492 on May 4, 1989;

(B) Monroe Telephone Services L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #370 on August 24, 1989 (formerly Cellware Telephone Services L.P.); and

(C) FutureWave General Partners L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #615 on May 25, 1990.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) COVERED RURAL SERVICE AREA LICENSING PROCEEDING.—The term "covered rural service area licensing proceeding" means the proceeding of the Commission for the grant of cellular radiotelephone licenses for rural service areas #492 (Minnesota 11), #370 (Florida 11), and #615 (Pennsylvania 4).

(4) TENTATIVE SELECTEE.—The term "tentative selectee" means a party that has been selected by the Commission under a licensing proceeding for grant of a license, but has not yet been granted the license because the Commission has not yet determined whether the party is qualified under the Commission's rules for grant of the license.

#### **HONORING THE RECIPIENTS OF THE SANTA ANA POLICE EMPLOYEE RECOGNITION AWARDS**

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 14, 1999

Ms. SANCHEZ. Mr. Speaker, I rise today in honor of the recipients of the Santa Ana Police Employee Recognition Awards. It is because of their dedication and commitment to law enforcement that the City of Santa Ana is safer for all of its residents.

It is in honor of National Law Enforcement Week that I salute our nation's police officers, and especially those of the 46th Congressional District in Orange County.

Seven hundred thousand police officers serve the U.S. each day. Most Americans probably don't know that our nation loses an average of almost one officer every other day. And that doesn't include the ones who are assaulted and injured each year.

More than 14,000 officers have been killed in the line of duty. The sacrifice of California officers has given our state the highest number of police deaths: 1,205. In Santa Ana alone, we have lost three officers who bravely protected our community.

The calling to serve in law enforcement comes with bravery and sacrifice. The thin blue line protecting our homes, our families and our communities pays a price, and so do the loved ones they leave behind when tragedy strikes.

We cannot replace the officers we've lost. We can't bring them back to their families or departments. All we can do is grieve for their loss.

But as their federal representatives, we have a greater responsibility. We must ensure that our law enforcement agencies—and their officers and staff—have the resources they need to do their jobs safely.

And today, we fulfill the most solemn part of our obligation to America's police force: we promise that when an officer does make that sacrifice, he or she will earn a place of the highest national respect with all due honor from the U.S. government.

#### **FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999**

SPEECH OF

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1999

Mr. CASTLE. Mr. Speaker, I rise today in strong support of H.R. 1550, the Fire Administration Authorization Act of 1999 because it embodies the proper role the federal government can play in the important area of fire prevention.

The U.S. Fire Administration (USFA) is charged with reducing the number of fires and fire deaths in the United States. In 1997, the number of fires reached 1.79 million, claimed 4,050 lives, and produced \$8.5 billion in damages. Given these large numbers, sometimes the temptation is to forge ahead creating new programs and pouring billions of taxpayer dollars into grants with Federal strings attached despite the expertise and accountability found best at the local level. In my state of Delaware, most of the firefighters are volunteers. They serve as firefighters out of dedication to their communities. In addition, because they are taxpayers in these communities, they make careful, calculated decisions about what investments are really needed in fire prevention. The United States should encourage more of this style of government and less top-down, centralized control.

H.R. 1550 resists that temptation and maintains the proper role of the federal government

in these affairs. It increases discretionary funding by \$96 million to a total of \$45.1 million in FY 2000 and \$47.5 million in FY 2001 so USFA can improve its service as a research center and clearinghouse of information for state and local governments to draw upon.

Furthermore, the bill sets aside \$6 million in FY 2000 and \$8 million in FY 2001 to train fire crews for anti-terrorism and response activities. This goes beyond the Clinton Administration's budget request. One of the best areas the federal government can play a role in fire prevention, is in helping states respond to terrorist attacks. The federal government is best suited to provide training or anti-terrorism and response activities due to its expertise in national defense, its strong intelligence capabilities, and the often-international character of terrorism.

More work may be needed in training our state and local governments to respond to terrorism incidents. H.R. 1550 requires USFA to investigate the need for further counter-terrorism training programs. Last year, Congress passed the Rescue and Emergency Services Prepared for Our Nation's Defense Act. It created a commission to assess our nation's weapons of mass destruction domestic response capabilities. I am anxious to read these reports when they are completed and begin to implement the suggestions in a timely manner. As the world's only superpower, the United States is a big target for terrorist attacks. We must accept the reality that comes with being a world superpower and respond accordingly.

Again, I urge my colleagues to support this bill as a strong common sense, fiscally responsible measure that preserves the principles of federalism that have helped make the United States a world leader. Firefighting will always be predominantly a local responsibility carried out by dedicated members of the community. The federal government should not interfere in this effort, but provide appropriate support to help on national problems such as terrorism. This bill maintains that important balance.

#### RANGER IN THE BANKHEAD NATIONAL FOREST RETIRING

### HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. ADERHOLT. Mr. Speaker, I rise today to pay tribute to James Ramey, District Ranger, Bankhead National Forest, Bankhead Ranger District, National Forests in Alabama.

Mr. Ramey has worked 34 years caring for the land and serving the public. He started his journey while attending school at Oklahoma State University, earning a degree in forestry while working on the Ouachita National Forest, Poteau Ranger District in 1965 and will end this journey on June 3, 1999. He served three years in the U.S. Army, earned the rank of 1st Lieutenant and served one year in Vietnam.

In April 1986, Mr. Ramey began working on the Bankhead National Forest as the District Ranger. During this time period he achieved a number of important accomplishments such as the success of using \$700,000 provided by former Congressman Bevill to build a horse trail, multiple-use trail and hiking trail. He

helped to manage stream side management zone practices that led to the protection of mussels and other aquatic species; he was instrumental in the design and layout of Clear Creek and Corinth Recreation Areas and also in trying to help operate additional recreational facilities during a time of increased use and decreased budgets. In April 1991, his leadership efforts led to the Bankhead Ranger District being recognized by the Southern Region of the National Forest Service as the best unit within the southeast.

As someone who grew up around the forest, I know how much his efforts have been appreciated and how he will be missed by everyone who cares about the Bankhead National Forest. I extend to Mr. Ramey, his wife Zondra, and his family best wishes for a job well done and hope he will have many years ahead to enjoy a well deserved retirement.

#### NATIONAL HOSPITAL WEEK

### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. PACKARD. Mr. Speaker, this week America is celebrating the work of some of our finest citizens. This is National Hospital Week and I would like to express my gratitude to those whose daily job it is to save lives.

Seventy-seven years ago, National Hospital Week began as a way to honor our hospitals and the dedicated staff who save lives and keep our hospitals functioning. This week we extend our gratitude and thanks to the thousands of Americans nationwide whose job it is to care.

America's hospitals and their staffs work tirelessly to serve the communities in which they are based. Many of these dedicated men and women are on call 24 hours a day, seven days a week, caring for one and all.

Mr. Speaker, I salute the many men and women of our nation's hospitals. Their devotion is what keeps America strong and healthy.

#### IN MEMORIAM OF JOSEPH F. SMITH, FORMER MEMBER OF CONGRESS

### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. BORSKI. Mr. Speaker, it is with a deep sense of loss that I rise today to inform the House of the passing of former Member of Congress Joseph Smith. The people of Philadelphia will sorely miss this great statesman who understood and related to his fellow citizens so well.

Born and raised in St. Anne's Parish, Philadelphia, Joe Smith remained supremely dedicated to serving his constituents; he was a man devoted to his roots. He started his career of service to this Nation as a sergeant in the United States Army, receiving a Purple Heart for his actions during World War II, and then as an assistant to U.S. Congressman James A. Byrne of Pennsylvania. He eventually served in the Pennsylvania State Senate

from 1970 to 1981, and was elected to the Ninety-seventh Congress in 1981. Joe also worked at the forefront of the Democratic party as the Democratic City chairman in Philadelphia from 1983 to 1986.

Throughout his career the people of Philadelphia looked to him for leadership, and he immersed himself in understanding their needs. Joe understood that public service is most effective when one understands and closely reflects the convictions and beliefs of one's constituents. No matter what body he was serving in, his heart was always with Fishtown and the people who resided in its communities. After his retirement, Joe could still be found sharing wisdom and insight from his stoop to those who sought advice and kinship.

I am deeply saddened at the loss of an outstanding legislator, a great human being, and a distinguished American. My deepest sympathies are extended to his wife Regina, his daughter Gi and her family. He left a special mark on me, and I deeply mourn his passing. Joe will be profoundly missed.

#### THE WORKING UNINSURED TAX EQUITY ACT

### HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. ROGAN. Mr. Speaker, I rise in support of important legislation my colleague Congressman JIM MCDERMOTT and I introduced today, the Working Uninsured Tax Equity Act. Many of the estimated 43 million Americans without health insurance are employed. The current Tax Code, however, discriminates against those workers if they choose to buy health insurance on their own.

Currently, employees with employer-sponsored health benefits enjoy those benefits tax free. This simple, straightforward proposal seeks to equalize the tax treatment between workers whose employer covers the cost of health care insurance premiums and those workers who must pay for their health insurance entirely from their own paychecks. The Tax Code should not punish these employees because their employer does not offer health benefits.

Our bill provides those workers paying for the entire cost of their health insurance a 30-percent partially refundable income tax credit to help defray the cost of those insurance premiums. The 30 -percent credit approximately equals the tax benefit enjoyed by workers with employer-provided tax benefits. The credit would be available to individuals with incomes to \$30,000 and married couples, filing jointly with incomes to \$50,000.

Our bill will not solve the crisis associated with the number of Americans who do not have health insurance. It does, however, provide a starting point for liberals and conservatives, state governments, insurance companies, and others to begin addressing health policy issues relating to uninsured Americans.

I encourage our colleagues from both sides of the aisle to join us in supporting the Working Uninsured Tax Equity Act.