

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill, H.R. 447, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OXLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered as withdrawn.

#### FEDERAL TRADE COMMISSION REAUTHORIZATION ACT OF 1996

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3553) to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

The Clerk read as follows:

H.R. 3553

*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 Trade Commission Reauthorization Act of 1996".

#### SEC. 2. REAUTHORIZATION.

Section 25 of the Federal Trade Commission Act (15 U.S.C. 57c) is amended by striking "and not to exceed" and inserting "not to exceed" and by inserting before the period the following: "; not to exceed \$107,000,000 for fiscal year 1997; and not to exceed \$111,000,000 for fiscal year 1998".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. OXLEY] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

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

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

Mr. Speaker, H.R. 3553, the Federal Trade Commission Act of 1996, is a straight 2-year reauthorization of the agency. This legislation, cosponsored by my distinguished subcommittee ranking member, Mr. MANTON, authorizes appropriations of \$107 million in fiscal year 1997 and \$111 million in fiscal year 1998 for the operations of the Federal Trade Commission. These amounts reflect a current services budget for the agency and include no funding for an expansion of activities or personnel.

Mr. Speaker, I have often taken to this floor to defend the modern FTC. Shortly before the recess, my subcommittee spent several hours with

the Federal Trade Commission discussing their performance over the past few years and their plans for the future. I am pleased to say that under the leadership of FTC Chairman Pitofsky, and former Chairwoman Steiger, this agency has come a long way toward rehabilitating its tarnished image and I feel justified in coming to its defense. The agency today is one which is constantly reviewing old orders, rules, and guidance in an effort to eliminate confusing and outdated regulations. The agency is about half the size it was during the late 1970's, but now is effectively reviewing an unprecedented number of mergers. In short, this agency is doing more with less, and doing it smarter.

Further, the agency has continued to protect consumers from the fraudulent activities of criminals who masquerade as legitimate businessmen. For instance, the FTC, working with other Federal, State and local law enforcement officials, has spearheaded the effort to eliminate telemarketing fraud that the House began when it passed the Telemarketing Fraud Act in the 103d Congress. The agency has played an instrumental role in a number of sweeps conducted by law enforcement officials, including the recent "Operation Senior Sentinel" sweep which shut down a number of fraudulent telemarketing operations aimed at our senior citizens and resulted in numerous arrests across the county.

This agency should serve as a model to other Federal regulatory agencies in terms of how to accomplish their fundamental missions in an era of dwindling resources. I urge my colleagues to support this agency by casting a "yes" vote for this simple, straightforward legislation.

□ 1230

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

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

Mr. Speaker, I rise in strong support of H.R. 3553, the Federal Trade Commission Reauthorization Act of 1996. I was pleased to join the chairman of the Commerce, Trade, and Hazardous Materials Subcommittee, Mr. OXLEY, in introducing this legislation and I am equally pleased to participate in its passage today on the floor. This is good, bipartisan legislation that authorizes funding for the FTC through fiscal year 1998.

As one of the country's oldest independent agencies, the FTC fulfills an extremely important mission for the American people by protecting consumers from unfair or deceptive advertising and marketing practices, while also protecting business and industry from unfair methods of competition. The Commission has responsibilities under approximately 30 separate laws, in addition to numerous trade regulations and rules governing specific industries and practices. Under the leadership of Chairman Pitofsky, and his

predecessor, Janet Steiger, the FTC has done consistently good work while striving for continuous improvement in its operations.

H.R. 3553 furthers the commitment to the FTC that was demonstrated during the 103d Congress with the passage of the Federal Trade Commission Amendments of 1994 and the Telemarketing and Consumer Fraud and Abuse Prevention Act. After a lapse in authorization of 14 years, these bills reestablished the important congressional role in addressing the responsibilities and authority of the FTC. The process of reauthorizing the FTC through this bill before us, afforded another opportunity to take a close look at the Commission's activities and evaluate its recent performance.

Over the past few years, the FTC has had significant success through enforcement activities directed particularly at telemarketing and credit fraud. In the area of telemarketing fraud alone, the FTC has brought over 100 enforcement actions against fraudulent business operations since the beginning of the year, potentially saving consumers many millions of dollars.

Also noteworthy, in these times of fewer available dollars for Federal activities, the Commission has bolstered its enforcement resources by teaming with State and other Federal agencies in pursuit of its mission. And finally, the Commission's efforts to streamline its operations through internal review of its own rules, orders, and administrative guidance with the goal of eliminating obsolete measures and improved efficiency has been substantial and should be commended.

Mr. Speaker, H.R. 3553 is a clean reauthorization bill that provides sufficient funding to ensure that the FTC has the resources it needs to fulfill its mission. I want to thank Chairman OXLEY for his efforts in bringing this bill to the House floor today and I urge my colleagues to support the legislation.

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

Mr. OXLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, I rise in support of the bill, and congratulate the chairman of the subcommittee for an excellent bill, and the ranking minority member for the cooperation that has brought this forward.

Mr. Speaker, I rise mainly to express some concern regarding activities that the FTC is now engaged in reviewing and approving the Time Warner-Turner broadcast merger proposal. The concern is one that is shared by quite a number of people, particularly those living in rural areas serviced by small cable companies. The concern has to do with the question of whether or not those consumers living in areas, particularly rural areas serviced by small cable companies, will have access to programming that this Congress has so

often stated should be available to all Americans.

The concern is that with this merger, indeed, will Time Warner-Turner make available under the program access guidelines that this Congress has spoken to in several acts now, the cable bill of 1992, and the most recent telecommunications bill of 1996, will in fact those programs be made available to small cable companies in those rural areas.

The concern is one that has been expressed in a letter to Chairman Pitofsky authorized by the SCBA, the organization representing those small cable companies. It is expressed in a letter to the chairman issued by the Small Business Administration, dated August 14, 1996, in which the Small Business Administration points out the fact that Time Warner's Prime Star, the direct broadcast satellite television system, will be in direct competition with those small cable companies in rural areas, and the SBA has raised the question of whether or not this new combination will in fact act in a way that is in fact anticompetitive and will not make programming available to those small cable companies that face competition from Prime Star, which is, indeed, owned by this new proposed merger.

The concern has also been expressed on the Senate side in a letter that Senator EXON sent to the chairman in which he pointed out that the success of competition in video services depends upon program access, that if any system, be it a small cable company or a satellite company, cannot get the program, that consumers are denied competitive choices.

We have fought this battle on the floor of the House in 1992 and successfully restated, over a Presidential veto, the intention that program access is the foundation of competition in this area. We again expressed it in the 1996 Telecommunications Act, where program access is the foundation to competition and to consumer choice.

I simply wanted to raise that concern here today with the FTC, and to hopefully continue dialoguing on this topic. When consumers have choice, when they have program access, to choose from two different suppliers, prices, services, competition, all of those things work to the benefit of the marketplace. When consumers are denied choice because some providers cannot buy the programs, then competition does not work, consumers suffer from higher prices and less quality service.

It is critical, and I hope the FTC pays attention to this notion in approving the Time Warner-Turner merger, that that program access be maintained so consumers in rural areas serviced by small cable companies will continue to have the same kind of choices that other Americans have to choose between a satellite distributor or a landline cable company for the incredibly desirable cable programming that is now important to the American consumer's menu.

With those concerns expressed, I hope we will continue this dialog. I thank the chairman of the subcommittee for the time to express those concerns, and hope that in fact the FTC will listen and continue to talk to us about them.

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

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

Mr. Speaker, I want to commend my friend, the gentleman from Louisiana, for his hard work on the program access issue. As many know, that was a very hotly debated issue back in 1992 during the cable reregulation legislation, and one of the provisions that made the most sense in an otherwise rather flawed bill. Clearly, that issue is incredibly important to our rural constituents as well. I commend him for his consistent work on this for a number of years.

Mr. DINGELL. Mr. Speaker, I commend Chairman OXLEY and his staff for working in an open, bipartisan manner on this legislation. I also want to commend our ranking member on the subcommittee, Mr. MANTON, for his leadership on this and many other important legislative issues.

The Federal Trade Commission is one of our most important independent agencies. Its core statutory duties are twofold: To prevent antitrust violations and to protect consumers from deceptive and unfair commercial practices. Its mission is vital to protecting the public interest.

During the 103d Congress, our committee worked in a bipartisan fashion to enact two important laws involving the FTC. First, we enacted a compromise bill that broke the 14-year-old stalemate on FTC authorizing legislation. The bill provided a reasonable statutory framework, based on previous Commission policy statements, for determining whether acts or practices are unfair. The bill also beefed up the Commission's enforcement authorities in several important respects. Since enactment of this landmark legislation, the Commission has been able to choose among a broad spectrum of enforcement options against those who violate the FTC Act or Commission rules.

Second, the 103d Congress enacted a telemarketing bill that provides new tools for the FTC and State law enforcement agencies to crack down on those who use a telephone to cheat, swindle, and defraud consumers. The FTC, working closely with State attorneys general, consumer organizations, and other interested parties, has successfully prosecuted multiple telemarketing fraud cases since enactment of the 1993 legislation. The regulations promulgated by the Commission early this year provide additional protection for consumers in this important area.

The record clearly indicates the FTC is performing its mission with improved efficiency and effectiveness. Through efforts initiated during Janet Steiger's tenure as Chairman and continued under Chairman Pitofsky's leadership, the FTC has embarked on a program of responsible regulatory reform. It has repealed unnecessary regulations and updated other regulations where appropriate. Those who advocate responsible regulatory reform would be well advised to look at the FTC's method of

streamlining and improving regulation. The FTC's efforts contrast sharply with the ill-advised, blunderbuss approach taken in several legislative initiatives Republicans have pursued during this Congress.

The agency also is doing more with less. Although it has roughly half the staff it had in 1980, it continues to perform its core statutory duties effectively. But, as former Chairman Janet Steiger said in her testimony before the subcommittee,

Any further significant decline in the FTC's staffing imperils the performance of its main mission.

The modest funding levels in the Oxley-Manton bill are well justified when considering the revenues returned to the Treasury from FTC merger fees and enforcement actions and the benefits the agency produces for consumers and the economy.

I am pleased that the Commerce Committee chose to authorize the FTC on a bipartisan basis and to ignore hastily drafted provisions in the House budget resolution that recommended the elimination of the agency. I also note that an identical authorization bill has been reported by our sister committee and is pending in the other body.

I commend Chairman OXLEY and Mr. MANTON. Their bipartisan leadership during the last Congress was critical to enactment of the first FTC authorization bill in more than a decade. The bill before us builds on that progress. I urge all Members to support this legislation.

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3553.

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

There was no objection.

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

The SPEAKER pro tempore (Mr. WICKER). The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill, H.R. 3553.

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.

#### PROPANE EDUCATION AND RESEARCH ACT OF 1996

Mr. SCHAEFER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1514) to authorize and facilitate a program to enhance safety, training, research and development, and safety education in the propane gas industry for the benefit of propane consumers and the public, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1514

*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 "Propane Education and Research Act of 1996".*