Forge; New Orleans; Mexico City; Gettysburg; Havana; the Philippines; Verdun; Bataan; North Africa; Monte Cassino; Normandy; Arnhem; the ''Bulge''; Pusan; Seoul; the Ia Drang Valley; Grenada, Panama; Kuwait, and, Iraq represent just a partial list of the places where ordinary men brought distinction to themselves, the Army, and the United States by their actions.

We must also not forget the many other campaigns and operations the Army has undertaken in its history, which have included: surveying the uncharted west coast; protecting western settlers; guarding our borders; assisting in disaster relief; providing humanitarian aid to other nations; and conducting medical research that benefits soldiers and civilians alike. There is simply no question that the U.S. Army has had a tremendous impact, in many different ways, on the history of our Nation and the world.

Soon we on the Senate Armed Services Committee will begin our mark up of the fiscal year 1996 defense authorization budget, including the money needed to support the Army. Often our focus is on what weapon systems we need to fund, how many new tanks, field guns, or rifles we should purchase, but our chief concern is always providing for the soldier. We work to ensure that the young E–3 has a quality of life that is not beneath him, and that the soldier who dedicated his or her career to the Army and Nation is not forgotten. Each of us on the committee, and I am sure in the Senate as well, understands that it is the people—the newest recruit and the most senior general—who make up the Army and guarantee the security and defense of the United States. We may have an arsenal of smart bombs at our disposal, but it is the soldier who must face and defeat our enemies. Ensuring they have the best equipment, training, and quality of life possible are our highest priorities.

This investment in our men and women in uniform pays a handsome dividend beyond the security of the United States. Countless numbers of people who have served in the Army have gone on to hold important positions in both the public and private sectors. Our first President, George Washington, was a general in the Army, as were Ulysses Grant, Zachary Taylor, and Dwight Eisenhower. Additionally, many former soldiers have gone on to serve in the Halls of Congress. In the House, there are some 87 individuals who served in the Army and in the Senate, 27 of our colleagues have worn the Army green. I know that each of us is proud of our association with the Army and that we have been able to serve our Nation as both soldiers and statesmen.

Madam President, over the past 220 years, more than 42 million of our fellow citizens have raised their right hand and sworn to defend our Nation as soldiers. In each instance we have asked our soldiers to carry out a mission, they have done so with a sense of purpose, professionalism, and patriotism. We are grateful for the sacrifices these individuals have made and the example they have set for future soldiers. With a heritage as proud as the one established by our Nation's soldiers over the past 220 years, we know that the U.S. Army will always remain the finest fighting force that history has ever known.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. All time having expired, morning business is now closed.

TELECOMMUNICATIONS COMPETITION AND DEREGULATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 652, which the clerk will report.

The bill clerk read as follows:

A bill (S. 652) to provide for a procompetitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies, and services to all Americans by opening all telecommunications markets to competition, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Feinstein/Kempthorne amendment No. 1270, to strike the authority of the Federal Communications Commission to preempt State or local regulations that establish barriers to entry for interstate or intrastate telecommunications services.

Gorton amendment No. 1277 (to the language proposed to be stricken by amendment No. 1270), to limit, rather than strike, the preemption language.

The PRESIDING OFFICER. There will now be 20 minutes debate on the Feinstein amendment No. 1270, to be equally divided in the usual form, with the vote on or in relation to the amendment to follow immediately.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, the amendment that is the subject of discussion is one presented by Senator KEMPTHORNE and me. There is a section in this bill entitled ''Removal of Entry to Barriers.'' It is a section about which the cities, the counties and the States are very concerned because it is a section that giveth and a section that taketh away.

Why do I say that? I say it because in section 254, the States and local governments are given certain authority to maintain their jurisdiction and their control over what are called rights-of-way.

Rights-of-way are streets and roads under which cable television companies put lines. How they do it, where they do it and with what they do it is all a matter for local jurisdiction. Both subsections (b) and (c) maintain this regulatory authority of local jurisdictions, but subsection (d) preempts that authority, and this is what is of vital concern to the cities, the counties and the States.

Senator KEMPTHORNE and I have a simple amendment. That amendment, quite simply stated, strikes the preemption and takes away the part of this bill that takes away local government and State governments' jurisdiction and authority over the rights-of-way.

We are very grateful to Senator GORTON who has presented a substitute, which will be voted on following our amendment. However, we must, quite frankly, say this substitute is inadequate.

Why is it inadequate? It is inadequate because cities and counties will continue to face preemption if they take actions which a cable operator asserts constitutes a barrier to entry and is prohibited under section (a) of the bill. As city attorneys state, is a city insurance or bonding requirement a barrier to entry? Is a city requirement that a company pay fees prior to installing any facilities to cover the costs of reviewing plans and inspecting excavation work a barrier to entry? Is the city requirement that a company use a particular type of excavation equipment or a different and specific technique suited to certain local circumstances to minimize the risk of major public health and safety hazards a barrier to entry? Is a city requirement that a cable operator move a cable trunk line away from a public park or place cables underground rather than overhead in order to protect public health a barrier to entry?

These are, we contend, intensely local decisions which could be brought before the FCC in Washington. The Gorton substitute continues to permit cable operators to challenge local government decisions before the FCC.

Why is this objectionable to local jurisdictions? It is objectionable to local jurisdictions because they believe if they are a small city, for example, they would be faced with bringing a team back to Washington, going before a highly specialized telecommunications-oriented Federal Communications Commission and plighting their troth. Then they would be forced to go to court in Washington, DC, rather than Federal district court back where they live.

This constitutes a major financial impediment for small cities. For big cities also, they would much prefer to have the issue settled in their district court rather than having to come back to Washington.

The cable operators are big time in this country. They maintain Washington offices, they maintain special staff, they maintain a bevy of skilled telecommunications attorneys. Cities do not. Cities have a city attorney, period. It is a very different subject.

Suppose a city makes a determination in the case that they wish to have