

TELECOMMUNICATIONS TRADE
AND FOREIGN INVESTMENT ACT
OF 1997

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. MARKEY. Mr. Speaker, I rise to introduce the Telecommunications Trade and Foreign Investment Act of 1997. I am pleased to introduce this legislation today along with Commerce Committee ranking Democrat JOHN DINGELL, and committee members RON KLINK and TOM SAWYER.

The international trade agreement reached in Geneva last February on telecommunications basic services has provided an excellent opportunity for the telecommunications industry and policymakers to assess the progress this country has made in breaking open new telecommunications markets worldwide. Without question, there are significant new opportunities in the recent telecommunications deal for American companies. When U.S. companies make new inroads into foreign markets, that's good for American workers and the strength of our economy. Yet, we also know that in the agreement there are notable underachievers, most notably Canada, Mexico, and Japan—three of our largest trading partners.

As a Democrat who has voted in favor of both NAFTA and GATT, I subscribe to the view that America's future economic health is inseparable from the global economy. I believe that this Nation ought to compete for high end, information-based jobs across the planet. These are telecommunications, computer, software, and electronic commerce jobs. For this reason it is imperative that foreign high-tech markets be opened up for competition from the United States. The Communications Act of 1934 clearly did not contemplate a world where there would be trade agreements allowing foreign ownership of common carriers throughout the world.

The administration expects the Federal Communications Commission [FCC] to consummate this deal administratively by modifying its regulations to encompass the new multilateral trade pact. I am particularly concerned, however, about the administration's current interpretation of the FCC's authority because it implicates foreign ownership of U.S. television and radio stations. Section 310(b) of the Communications Act treats foreign ownership issues for both broadcasting and common carrier licenses the same way.

Congress certainly did not envision that the Communications Act could be read in a way that would wind up allowing 100 percent foreign ownership of U.S. television and radio stations. The administration's current reading of the statute would allow such an outcome. I appreciate the fact that the administration has stated that it has no intention of unraveling the prohibitions on foreign ownership of broadcast licenses. I believe it would serve a useful purpose to ensure that this cannot be done le-

gally and that the law should be appropriately modified to treat broadcasting as separate and distinct from common carrier issues.

Mr. Speaker, the legislation I am introducing today will cap foreign investment in broadcast licenses at 25 percent. This proposed legislation will not allow any future FCC to unilaterally limit, by rule, the scope and applicability of possibly determinative public interest criteria and thereby grant waivers for 100 percent foreign ownership of U.S. television and radio stations.

The legislation I am introducing today will also serve to update and amplify the statutory language with respect to common carrier foreign investment by making it clear that where America has a trade commitment, the FCC is directed to show deference to the President on such matters for applicants from countries that are part of the trade deal. This provision is a WTO-friendly provision and is intended to dovetail with the process that the FCC, as an independent agency, has indicated it will use to implement this multilateral trade pact.

In the last session of Congress, Mr. Speaker, the House was successful in legislating in this area of communications law. I look forward to working with Commerce Committee Chairman TOM BLILEY, committee ranking Democrat JOHN DINGELL, Telecommunications Subcommittee Chairman TAUZIN, my good friend Congressman MIKE OXLEY, who has long advocated updating our telecommunications foreign investment laws, as well as my colleagues—on both sides of the aisle—on the Commerce Committee and in the House, in fashioning common sense legislation that will modernize and clarify the foreign investment provisions of the Communications Act.

THE 135TH ANNIVERSARY OF THE
DISTRICT OF COLUMBIA EMANCI-
PATION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Ms. NORTON. Mr. Speaker, I am very grateful to my distinguished colleague, Representative DON MANZULLO, for his generous and thoughtful attention to the District and to Emancipation Day and for his consistent assistance to District residents in this annual observance. We also very much appreciate the work of DC Reading is Fundamental in this educational event. Our thanks go as well to Mr. Arnold Goldstein, superintendent of the National Park Service, and to other Park Service officials and employees for their cooperation in helping us celebrate this commemorative event, just as the Park Service has been consistently helpful to the District in so many other ways.

It is 135 years after the emancipation of slaves in the District, yet we continue to celebrate the emancipation of 3,100 District slaves. Emancipation in the District was of further importance because it was the first such

action and culminated in the general emancipation of slaves in the United States. If I may, this day has importance for my family as well, because Richard Holmes, my great-grandfather, was in the District that day. Our family does not claim him as a run-away slave hero, because Richard Holmes simply walked off a Virginia plantation one day and laid down roots in the District. I can only imagine what this day must have meant to him.

The abolitionist movement in the District was especially strong. Abolitionists regarded slavery in the capital of the United States a national shame. Regrettably that expression was to continue to apply to other forms of denial of basic rights unbecoming to the capital of the free world. The District was a bastion of lawful racial discrimination and did not integrate its schools until the Supreme Court struck down illegal segregation in 1954. In 1997, the District remains the only jurisdiction where Americans pay taxes without full representation in Congress and the only jurisdiction, including the four territories, whose laws can be overturned at the whim of Congress.

Still, we are pleased today to note that when President Lincoln ended slavery here, nine months before the Emancipation Proclamation, the District led the country out of the most serious form of oppression any nation can impose. Our country would have been even better off had it followed the pattern laid out in the District of Columbia Emancipation Act because emancipation in the District did not involve war; slave owners were compensated and former slaves were allowed to emigrate and were themselves compensated, although at a lesser amount.

We continue to celebrate April 16th as District of Columbia Emancipation Day in the city, but surely not out of nostalgia or false comparison of ourselves to those who lived under slavery in the last century. I am very pleased about the participation of District of Columbia Reading is Fundamental. The involvement of DC Reading is Fundamental focuses us on today's problems and priorities, a worthy way to respect the memory of those who had no way to overcome such problems. The value of noting District of Columbia Emancipation Day is not history for its own sake, despite that worthy objective, but history to inspire our re-energized efforts to eliminate today's problems. Slavery is not one of them. Children who cannot read is a problem. Good schools where children function at grade level and improving high school graduation rates are where we must focus in 1997. Reducing crime, building strong family units, helping welfare recipients find work, reforming the District government, rebuilding our city—these are the issues of today.

The 3,100 District of Columbia residents who were emancipated by Abraham Lincoln on April 16, 1862, probably could not read and probably would have given everything to acquire that skill. In their memory, we commemorate their emancipation day and pledge to do all we can to emancipate ourselves from the problems of today and to accept the challenges of tomorrow.