

## HOUSE OF REPRESENTATIVES—Thursday, March 2, 2000

The House met at 10 a.m.

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

Let us pray using the words of Psalm 84:

*How lovely is your dwelling place, O Lord of hosts! My soul longs, indeed it faints for the courts of the Lord; my heart and my flesh sing for joy to the living God.*

*Even the sparrow finds a home, and the swallow a nest for herself, where she may lay her young, at your altars, O Lord of hosts, my King and my God. Happy are those who live in your house, ever singing your praise. Amen.*

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3557. An act to authorize the President to award a gold medal on behalf of the Congress to John Cardinal O'Connor, Archbishop of New York, in recognition of his accomplishments as a priest, a chaplain, and a humanitarian.

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 935. An act to authorize research to promote the conversion of biomass into biobased industrial products, and for other purposes.

### THE IRS IS A MESS

(Mr. GIBBONS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, some recent disturbing news. Earlier this week, the General Accounting Office reported that the IRS, the Internal Revenue Service, America's tax collecting agency, does not know how much money it is collecting or, worse yet, where the money is going.

The GAO audit showed that the IRS frequently gives improper refunds and fails to promptly correct its own errors, costing the American taxpayers several billions of dollars every year.

Mr. Speaker, if the IRS cannot keep track of its property, income, or budget, how can the American taxpayer feel confident that they are not getting ripped off?

Even more disturbing, Mr. Speaker, is that the IRS is vulnerable to serious computer security problems, placing the financial and secure information of every American taxpayer in jeopardy.

Mr. Speaker, it is time that the IRS clean up its act. The American taxpayer is required to be diligent in paying its taxes. The IRS must be diligent in its duty to the American people, or we should get rid of it.

I yield back the unbelievable sloppy practices of our Nation's tax collector.

### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

### AMERICANS DESERVE A BETTER PRESIDENTIAL PRIMARY CONTEST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, we are engaged right now in a Presidential primary contest on both the Republican and the Democratic side, and charges have been thrown back and forth, but I think America deserves better than this.

I know in Robert Kennedy's campaign in 1968, we got better than this; and in Ronald Reagan's campaign in 1980 we also got better than this. They seemed to have appealed to the better angels in all of us.

Unfortunately, today in Washington a man by the name of Al Sharpton is meeting with the Clinton administra-

tion and several Democratic Members of Congress. These Democratic Members of Congress continue to be in a close alliance with Mr. Sharpton, and there continues to be a close alliance between Mr. Sharpton and the Democratic Party, especially in New York City.

Unfortunately, Mr. Sharpton is a man and a political figure who has been described by most media outlets as a racist and a bigot. Sadly, Mr. Sharpton's record has been deplorable, as have those Democrats who continue to embrace him and his views.

The Wall Street Journal wrote on February 29 of this year, "Mr. GORE and Mr. Bradley are willfully blind to Mr. Sharpton's form of racism." In fact, last night on CNN, Jeff Greenfield asked both Democratic candidates whether they were willing to distance themselves from Mr. Sharpton. Both of them continued to legitimize his presence in the New York primary; and Mr. GORE actually justified visiting him, after telling reporters he was only going to New York to visit his sister.

The Calgary Herald wrote in 1999, "Mr. Sharpton has been linked to the Nation of Islam, the radical, anti-Semitic black organization that is led by Louis Farrakhan." And in 1995, at what is called the Freddy's Fashion Mart Boycott, the Wall Street Journal quoted Mr. Sharpton and said, "Sharpton turned a landlord-tenant dispute between the Jewish owner of Freddy's clothing store and a black subtenant into, 'a theater of hatred' in Harlem, marching outside the store screaming about 'bloodsucking Jews' and 'Jew bastards.'" That was the Wall Street Journal, 2/29.

The Weekly Standard wrote on 2/28 of this year, "Sharpton juiced up the crowds about 'white interlopers' and 'diamond merchants.'"

The Wall Street Journal on February 29 of this year said, "One protester, Roland Smith, ran into the store, shot and wounded three whites and a Pakistani. Then he set a fire killing five Hispanics and one African American security guard, taunted by the protesters as a 'cracker lover.' Smith then fatally shot himself."

Unfortunately, most Americans, including those Democrats that now race to embrace Mr. Sharpton and his brand of politics, remember in 1988 the Tawana Brawley Hoax. The Washington Post wrote in 1998, "Sharpton and others falsely accused a former assistant DA of attacking and raping 15-year-old Brawley."

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Wall Street Journal on February 29 of this year wrote, "Sharpton insisted that Brawley, a 15-year-old black girl, had been raped by a band of white men practicing Irish Republican Army rituals."

And as The Washington Post reported in July of 1998, "Sharpton and lawyers Alton Maddox and Vernon Mason were found guilty of defamation, with Sharpton guilty on 7 of 22 counts."

Unfortunately, Mr. Speaker, this brand of racism that attacks not only whites, but especially Jews, is the lowest form of anti-Semitism, and it is a form of anti-Semitism that has been practiced over the past 15, 20 years by Mr. Sharpton.

How respectable Presidential candidates in the Democratic Party can openly embrace such a man and, in fact today, how many Members of the Democratic side of this House, who are asking the American people to take control of this institution, which is the people's House, after all, how they can continue to embrace a man who has made violently anti-Semitic statements, who has bent over backwards over the past 15 years to stir up racial hatred, not only in New York State but across this country, how can they embrace such a man? How Mr. GORE can go to New York City and embrace such a man and then defend that action last night is beyond me, and it is beneath contempt for this House.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 10 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1050

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 10 o'clock and 50 minutes a.m.

#### CONFERENCE REPORT ON S. 376, OPEN-MARKET REORGANIZATION FOR THE BETTERMENT OF INTERNATIONAL TELECOMMUNICATIONS ACT

Mr. BLILEY submitted the following conference report and statement on the Senate bill (S. 376) to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes:

CONFERENCE REPORT (H. REPT. 106-509)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 376),

to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Open-market Reorganization for the Betterment of International Telecommunications Act" or the "ORBIT Act".

#### SEC. 2. PURPOSE.

It is the purpose of this Act to promote a fully competitive global market for satellite communication services for the benefit of consumers and providers of satellite services and equipment by fully privatizing the intergovernmental satellite organizations, INTELSAT and Inmarsat.

#### SEC. 3. REVISION OF COMMUNICATIONS SATELLITE ACT OF 1962.

The Communications Satellite Act of 1962 (47 U.S.C. 701) is amended by adding at the end the following new title:

#### "TITLE VI—COMMUNICATIONS COMPETITION AND PRIVATIZATION

##### "Subtitle A—Actions To Ensure Pro-Competitive Privatization

#### "SEC. 601. FEDERAL COMMUNICATIONS COMMISSION LICENSING.

"(a) LICENSING FOR SEPARATED ENTITIES.—

"(1) COMPETITION TEST.—The Commission may not issue a license or construction permit to any separated entity, or renew or permit the assignment or use of any such license or permit, or authorize the use by any entity subject to United States jurisdiction of any space segment owned, leased, or operated by any separated entity, unless the Commission determines that such issuance, renewal, assignment, or use will not harm competition in the telecommunications market of the United States. If the Commission does not make such a determination, it shall deny or revoke authority to use space segment owned, leased, or operated by the separated entity to provide services to, from, or within the United States.

"(2) CRITERIA FOR COMPETITION TEST.—In making the determination required by paragraph (1), the Commission shall use the licensing criteria in sections 621 and 623, and shall not make such a determination unless the Commission determines that the privatization of any separated entity is consistent with such criteria.

"(b) LICENSING FOR INTELSAT, INMARSAT, AND SUCCESSOR ENTITIES.—

"(1) COMPETITION TEST.—

"(A) IN GENERAL.—In considering the application of INTELSAT, Inmarsat, or their successor entities for a license or construction permit, or for the renewal or assignment or use of any such license or permit, or in considering the request of any entity subject to United States jurisdiction for authorization to use any space segment owned, leased, or operated by INTELSAT, Inmarsat, or their successor entities, to provide non-core services to, from, or within the United States, the Commission shall determine whether—

"(i) after April 1, 2001, in the case of INTELSAT and its successor entities, INTELSAT and any successor entities have been privatized in a manner that will harm competition in the telecommunications markets of the United States; or

"(ii) after April 1, 2000, in the case of Inmarsat and its successor entities, Inmarsat

and any successor entities have been privatized in a manner that will harm competition in the telecommunications markets of the United States.

"(B) CONSEQUENCES OF DETERMINATION.—If the Commission determines that such competition will be harmed or that grant of such application or request for authority is not otherwise in the public interest, the Commission shall limit through conditions or deny such application or request, and limit or revoke previous authorizations to provide non-core services to, from, or within the United States. After due notice and opportunity for comment, the Commission shall apply the same limitations, restrictions, and conditions to all entities subject to United States jurisdiction using space segment owned, leased, or operated by INTELSAT, Inmarsat, or their successor entities.

"(C) NATIONAL SECURITY, LAW ENFORCEMENT, AND PUBLIC SAFETY.—The Commission shall not impose any limitation, condition, or restriction under subparagraph (B) in a manner that will, or is reasonably likely to, result in limitation, denial, or revocation of authority for non-core services that are used by and required for a national security agency or law enforcement department or agency of the United States, or used by and required for, and otherwise in the public interest, any other Department or Agency of the United States to protect the health and safety of the public. Such services may be obtained by the United States directly from INTELSAT, Inmarsat, or a successor entity, or indirectly through COMSAT, or authorized carriers or distributors of the successor entity.

"(D) RULE OF CONSTRUCTION.—Nothing in this subsection is intended to preclude the Commission from acting upon applications of INTELSAT, Inmarsat, or their successor entities prior to the latest date set out in section 621(5)(A), including such actions as may be necessary for the United States to become the licensing jurisdiction for INTELSAT, but the Commission shall condition a grant of authority pursuant to this subsection upon compliance with sections 621 and 622.

"(2) CRITERIA FOR COMPETITION TEST.—In making the determination required by paragraph (1), the Commission shall use the licensing criteria in sections 621, 622, and 624, and shall determine that competition in the telecommunications markets of the United States will be harmed unless the Commission finds that the privatization referred to in paragraph (1) is consistent with such criteria.

"(3) CLARIFICATION: COMPETITIVE SAFEGUARDS.—In making its licensing decisions under this subsection, the Commission shall consider whether users of non-core services provided by INTELSAT or Inmarsat or successor or separated entities are able to obtain non-core services from providers offering services other than through INTELSAT or Inmarsat or successor or separated entities, at competitive rates, terms, or conditions. Such consideration shall also include whether such licensing decisions would require users to replace equipment at substantial costs prior to the termination of its design life. In making its licensing decisions, the Commission shall also consider whether competitive alternatives in individual markets do not exist because they have been foreclosed due to anticompetitive actions undertaken by or resulting from the INTELSAT or Inmarsat systems. Such licensing decisions shall be made in a manner which facilitates achieving the purposes and goals in this title and shall be subject to notice and comment.

"(c) ADDITIONAL CONSIDERATIONS IN DETERMINATIONS.—In making its determinations and licensing decisions under subsections (a) and (b), the Commission shall construe such subsections in a manner consistent with the United