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April 18, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Global Crossing Ltd., et al., IB Docket No. 02-286**

Dear Madam Secretary:

ACN has read in the press that Representative Frank Wolf, chairman of the Commerce, Justice, State, the Judiciary and Related Agencies Subcommittee of the House Appropriations Committee, has expressed his opposition to Applicants' pending application in a letter to Chairman Powell of April 8, 2003.<sup>1</sup> Enclosed is a copy of the press release and letter (albeit this copy is addressed to the Attorney General) as they appear on the Congressman's homepage at

<sup>1</sup> Howard Buzkirk, *Wolf Expresses Concerns Over Global Crossing Sale*, TRDAILY, April 10, 2003.

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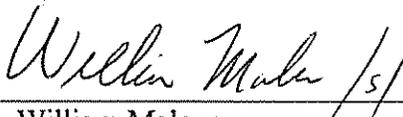
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<http://www.house.gov/wolf/20030409GlobalCrossing.htm>. ACN is not in possession of a copy of Rep. Wolf's letter from, nor had the letter been listed in the online Record of Documents in the docket as of the time of drafting this letter.

ACN requests that a copy of the letter to the Chairman and any response thereto be placed in the record.

Respectfully submitted,

AMERICAN COMMUNICATIONS NETWORK, INC.

by  /s/  
William Malone  
Gerard Lavery Lederer  
James R. Hobson

Its Attorneys

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Certificate of Service

I hereby certify that I have caused to be mailed (and also e-mailed where indicated) this day copies of the foregoing response to the following:

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I further certify that I have caused to be e-mailed copies of the foregoing response to the following persons as prescribed in Part VI of Public Notice DA 02-2299:

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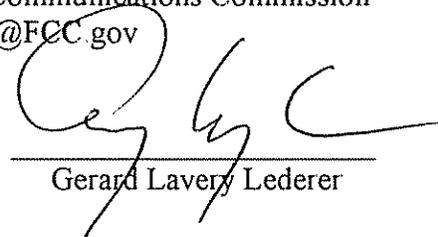
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Gerard Lavery Lederer

Washington, D.C.  
April 18, 2003



For Immediate Release

April 9, 2003

**WOLF VOICES CONCERN ABOUT  
PROPOSED SALE OF GLOBAL  
CROSSING**

*Wants DOJ, State Department, DOD,  
Treasury and FCC to Fully Review  
Proposed Transaction*

Washington, D.C. - Rep. Frank Wolf (R-VA), chairman of the House Commerce-Justice-State appropriations subcommittee, today voiced grave concerns about the proposed sale of Global Crossing, Ltd. to Hong Kong-based Hutchinson Whampoa, Ltd.

In letters sent yesterday to Attorney General John Ashcroft, Secretary of State Colin Powell, Secretary of Defense Donald Rumsfeld, Treasury Secretary John Snow and Federal Communications Chairman Michael Powell, Wolf wrote that "under no circumstance should the proposed sale even be considered - much less approved - without a full and complete review of the facts involving this transaction."

Wolf added: "The potential risks to the security of this country as well as lasting damage to our reputation are far too great for this transaction to proceed."

In addition to this letter, Wolf raised the issue with

State Department officials during a hearing last week.

Below is the text of the letter:

April 8, 2003

The Honorable John Ashcroft  
Attorney General  
950 Pennsylvania Ave NW  
Washington DC 20530

Dear John:

I am concerned by newspaper articles regarding the proposed sale of Global Crossing, Ltd., to Hong Kong-based Hutchison Whampoa, Ltd.

These articles indicate that the Defense Department and the Federal Bureau of Investigation have raised concerns regarding this proposed transaction, citing national security and law enforcement concerns. This sale would effectively put Global Crossing's fiber optics networks, which are used by the U.S. military, as well as other federal agencies, under Chinese ownership.

As you know, Global Crossing is currently under investigation for a variety of allegations of corporate malfeasance. The company's bankruptcy was the fourth largest in U.S. history resulting in 10,000 employees losing their jobs, their health care and life savings, including losses to investors totaling \$54 billion.

Even more disturbing are allegations based on declassified DoD intelligence reports that the billionaire owner of Hutchison Whampoa, Ltd. has

extensive links to Beijing and is “willing to use his business influence to further the aims of the Chinese government.” In addition, a subsidiary under Hutchison Port Holdings currently operates two ports on opposite ends of the Panama Canal.

This nexus to China is of great concern to me not only for the obvious national security reasons but also because China is one of the worst violators of human rights. These range from the brutal crackdown on religious minorities in Western Xinjiang province to the repatriation of North Korean refugees in the Eastern Yanjian Province to the arrests of Catholic priests, to mention a few. In addition, as the recent discovery of Chinese-made missiles in Iraq proves, China is also a major proliferator of missile-related weapons to rogue regimes around the world.

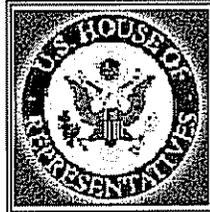
These facts alone should - based largely on declassified material - should give rise to serious concerns about the proposed sale of Global Crossing to Hutchison Whampoa, Ltd. One can only wonder about additional concerns that might be raised by a review of classified materials.

That is why I am writing to voice my gravest concerns about the proposed sale. Under no circumstances should the proposed sale even be considered - much less approved - without a full and complete review of the facts involving this transaction. The potential risks to the security of this country as well as lasting damage to our reputation are far too great for this transaction to proceed.

I would appreciate a response from your department on this matter of great urgency.

Sincerely,  
Frank R. Wolf  
Member of Congress

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