

than for sending one. We need to fix this skewed incentive.

Mr. Speaker, I want to especially thank the gentlewoman from New Mexico (Mrs. WILSON), the gentleman from Texas (Mr. GREEN), the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Virginia (Mr. BLILEY) for their dedication and hard work on this issue.

Mr. Speaker, I yield back all the unsolicited invasive pornographic e-mail messages that invade your home and that we are forced to pay for.

THE RISK OF DOING NOTHING TO SAVE SOCIAL SECURITY

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. SMITH of Michigan. Mr. Speaker, yesterday the Governor of Texas came out with a proposal that we have got to do something on Social Security to save it. He suggested that some of the tax that American workers pay in should end up in their own name invested to bring in more returns to Social Security and to those individuals when they retire.

I think that when AL GORE suggests that it is risky to invest any of that money in indexed funds, or in 401(k) type funds or, for government workers, the Thrift Savings Account funds, where their performance has averaged a very high positive return, we should also note that there has never been a 12-year period in the history of this country where indexed stocks did not have a positive return. In fact, according to Mr. Jeremy Siegel, there has been a positive return of at least 1 percent for any 12-year period, even during the worst of times, and over 70 years there has been an average return of 7.5 percent.

Some suggest that it's risky to have real investments.

What is really risky is not doing anything and spending Social Security trust fund money on other government programs.

HEALTH PREMIUMS AND PRESCRIPTION DRUGS SHOULD BE TAX DEDUCTIBLE ITEMS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. STEARNS. Mr. Speaker, today I plan to introduce a bill to allow health insurance premiums and unreimbursed prescription drug expense to be tax deductible. Under current law, employers can write off the cost of health care coverage purchased for their employees. Why cannot individuals also be allowed the same opportunity to write off premiums and unreimbursed prescription drug expenses?

The current Tax Code sets the threshold at 7.5 percent of adjusted gross income before an individual can

write off their medical expenses. This does not seem right to me. Currently in order to claim health care expenses, an individual must file an itemized tax return.

I believe that all taxpayers should be allowed to deduct these out-of-pocket expenses, and we need to include a place where this deduction could be taken on the short form, such as a 1040EZ and 1040A. My bill also applies to the self-employed, because individuals who are self-employed will not be eligible for a 100 percent write-off until the year 2003.

This type of relief is long overdue. Allowing individuals to write off certain costly health care expenses they may incur would be a tremendous benefit to them.

The National Taxpayers Union supports my bill. I urge my colleagues to cosponsor my bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

INTERNET ACCESS CHARGE PROHIBITION ACT OF 2000

Mr. TAUZIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1291) to prohibit the imposition of access charges on Internet service providers, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1291

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 "Internet Access Charge Prohibition Act of 2000".

SEC. 2. PROHIBITION OF CHARGES ON PROVIDERS OF INTERNET ACCESS SERVICE.

Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended by adding at the end the following new subsection:

"(1) PROHIBITION OF CHARGES ON INTERNET SERVICE PROVIDERS.—

"(1) IN GENERAL.—Notwithstanding subsection (b)(4) or (d) or any other provision of this title, the Commission shall not impose on any provider of Internet access service (as such term is defined in section 231(e)) any contribution for the support of universal service that is based on a measure of the time that telecommunications services are used in the provision of such Internet access service.

"(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall preclude the Commission from imposing access charges on the providers of Internet telephone services, irrespective of the type of customer premises equipment used in connection with such services."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1291.

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

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield myself 5 minutes in support of the bill.

Mr. Speaker, I rise in strong support of H.R. 1291, the Internet Access Charge Protection Act of 2000, and I urge my colleagues today to show their support for this important pro-consumer legislation.

A number of Members have made this floor vote possible, and I would like to begin by noting their contributions. The gentleman from Michigan (Mr. UPTON) is the author of this most important legislation. He has identified the significance of this issue and has worked hard with the committee to ensure that the bill is balanced and represents a continued contribution to the public interest.

Let me also commend the leadership of the House, who showed an early and critical interest in bringing this legislation to the floor today. Finally, as always, let me note the work of the bipartisan leadership of our Committee on Commerce, its chairman, the gentleman from Virginia (Mr. BLILEY) and the ranking minority member, the gentleman from Michigan (Mr. DINGELL), both of whom always contribute to the bipartisan spirit by which we bring legislation important to the Nation on telecommunication matters to the floor.

Mr. Speaker, this bill represents the best interests of this body. No matter how complex an issue is and no matter how controversial it may be, this institution can find a way to craft a balanced bill which serves the interests of consumers and of the technologies.

Over the years, the Committee on Commerce has labored hard to provide for universal access to the Nation's telephone network. While competition and innovation have been the hallmark of telecommunications policy, so too has universal service. We have balanced these goals over the decades, and we will do so again today with this legislation that is before us.

More to the point, H.R. 1291 will preclude the Federal Communications Commission from imposing permanent charges on Internet service providers when those charges are intended for the support of universal service. At the same time, it is important to note that this bill will permit the Committee on Commerce and the FCC to continue to

consider the implications of the growth of Internet telephony, particularly its long-term implications on consumer access to the telephone network.

This is a critical issue, and yet we know so little about what it means for those who depend upon affordable access to telecommunications service. The FCC, for example, has advised Congress that it is too early to tell what the future holds for universal service as more voice traffic migrates to Internet telephony. At the same time, the FCC warned that it does not want to stifle the growth of Web-based applications such as Internet telephony.

The FCC, in other words, has told us the record on this matter is not yet complete, nor is Congress prepared with a well-developed record in this area either. That is why the legislation makes it clear that Congress is not predetermining the issue of access charges and Internet telephony.

Let me make it clear to my colleagues, this bill leaves this important debate for another day. It is neutral on this point. It decides it neither way and leaves it for a future debate, leaves it for Congress and the FCC to settle at a future time. But this House can today and should address the central issue of permanent charges on Internet data access, and it should do so today.

The Advisory Commission on Electronic Commerce has recommended to us that access to the Internet should remain tax free and unregulated. Today's monthly Internet access services are affordable and charged on a flat rate basis. As a result, the Internet is available to children to surf the Worldwide Web for information, reports and learning. It is available for e-commerce businesses to grow and expand without the burden of permanent charges. This bill ensures that that affordable access is continued on into the future. H.R. 1291 will help ensure that this affordable access is the rule, not the exception.

I urge my colleagues to join me in supporting this bill.

Mr. DINGELL. Mr. Speaker, I yield myself 5 minutes.

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

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 1291. The bill is intended to make sure that the individual who logs on to the Internet will not be charged by the minute for the privilege of doing so. That is a worthy goal. I would observe, however, that the situation before us is still somewhat Kafkaesque and does indeed participate of the rather wry humor of that kind of story.

I would note that one of the things that has triggered our interest in this matter has been a story that has been going around on the Internet about a Congressman by the name of Schnell who has a piece of legislation which says that people will be charged by the minute for the privilege of using Internet. I would note that Mr. Schnell is

entirely fictitious, and I am curious why we are responding to an imaginary piece of legislation which is sponsored by a fictitious Congressman who does not exist?

I would note that many Congressional offices have been bombarded with an insidious e-mail campaign over the past year denouncing the fictitious legislation introduced by Mr. Schnell, who does not exist, which would accomplish precisely the opposite result of the bill we consider today.

I only hope that the passage of H.R. 1291 will finally extinguish this cybermyth for once and all. I am not convinced, however, that mounting a massive legislative counterattack on a fictitious bill introduced by a make-believe Congressman is the best use of the time of this House, particularly when the subject of that bogus bill, if it were actually introduced, is so contrary to the public interest, that it would have zero chance of success in this legislative body.

My puzzlement extends further to the speed with which the leadership has rushed this legislation to the floor. What we are considering today is a fabricated solution to an imaginary problem, yet the leadership seems to believe that this virtual bill is so important that the Committee on Commerce was asked to dispense with the regular order and bypass subcommittee consideration.

I find it quite amazing that a phantom Congressman by the name of Schnell has more success in jumpstarting the legislative process than those of us here by actual election of the people. I only regret that Congressman Schnell is not a conferee on some of the more important legislation currently languishing in the conferences between the House and the Senate.

Certainly our constituents should know that the Congress has no intention of installing a meter on their use of the Internet and that this legislation will alleviate their concern in that regard, even though it is prompted by the existence, as I have said, of a fictitious bill sponsored by a nonexistent Congressman.

□ 1030

However, I am disappointed that the majority refuses to seize an opportunity here to address a greater and a more genuine threat to consumer pocketbooks; that is, the very real possibility that new services such as Internet telephony may evade the responsibility of contributing to support the Universal Service Fund, a fund that ensures that all Americans have access to affordable telephone service.

These services will continue to migrate from traditional networks to the Internet and unless we act, the Universal Service Fund will be left to wither on the vine. That spells significant trouble for local phone rates for all consumers, but particularly for those who live in rural areas and the

working poor or those who live in big cities.

I would observe these are the same Americans who are stuck on the wrong side of the digital divide and are least able to take advantage of high-tech alternatives. Unfortunately, in our haste to get this legislation to the floor that solves, as I have mentioned, an imaginary problem, we squandered the opportunity to address one that is all too real, and that is the prices which Americans will pay for local telephone service if today's disparate regulatory treatment is permitted to continue.

Whether a service is offered by the Internet or through a traditional telephone network, the attendant obligations to support the universal service should be the same. I hope the majority will address this serious inequity with due haste so that the American people can be duly protected against the sharp rise in the price for one of their most essential communications needs, and that is plain, old-fashioned telephone service.

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

Mr. TAUZIN. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would point out that Congressman Schnell may indeed be a bogus Congressman but the issue is not bogus. There are real lawyers litigating in the courts on this issue today, and real debate before the FCC.

This bill puts an end to the debate and protects the Internet from per minute charges for all of those who have affordable access today.

Mr. Speaker, I yield 4 minutes to a real Congressman, the gentleman from Michigan (Mr. UPTON), a dear friend and the author of the legislation.

Mr. UPTON. Mr. Speaker, we have all received thousands and thousands of e-mails from our constituents who have been outraged about erroneous reports that Congress was soon going to consider Congressman Schnell's bill H.B. 602P, which purportedly would impose a surcharge on literally every e-mail sent by an individual. Yes, yes, that rumor is false but around the same time another e-mail campaign suggested that the FCC was in fact going to impose a per minute access fee on Internet use, and again our constituents flooded our offices with e-mails to express their outrage.

It is undisputed that the FCC's unelected bureaucrats currently do have the power to authorize permitted access charges on Internet use, their claims that they have no intention of doing so disregarded. As we all know, the road to hell was paved with good intentions, and one need look no further than the e-rate tax to know how the FCC's unelected bureaucrats have recently used their authority to increase the Government's take by a billion dollars through an increase on every American's long distance charges.

The question is this: Should we trust the unelected bureaucrats at the FCC

to keep their hands out of the pockets of Internet users, or should Congress pull the plug once and for all?

Our constituents have e-mailed us. They have talked to us through letters to the editor. They have come to our town meetings and they have said that they want us to pull the plug once and for all. That is why we need to pass this legislation this morning.

H.R. 1291 will prevent a stop-watch from being placed on the Internet so that our constituents are not charged by the minute when they surf the Web or when they e-mail their friends, families, customers or even us, Members of Congress, for that matter.

Our constituents are already paying for the phone service and a monthly fee usually to their Internet service provider as well. Clearly, if our constituents were charged by the minute when they surfed the Web or e-mailed, this would drastically increase the cost and dramatically inhibit their use of the Internet, perhaps as much as \$400 over the course of the year.

This would disproportionately impact folks who communicate by e-mail, particularly families with children in the military overseas, or children who are in college far away from home, brothers and sisters, families who are scattered across our Nation, even around the globe, and seniors on fixed incomes who have begun to communicate by e-mail to their grandkids.

We cannot let this happen and this bill would prevent it. I am pleased that 141 of our colleagues from both sides of the aisle have cosponsored this legislation.

I commend the gentleman from Virginia (Mr. BLILEY), the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) for all their efforts to ensure that this bill is on the floor today. I introduced it almost a year and a half ago and I am pleased to say we hope to pass it this morning.

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

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 1291, the Internet Access Charge Prohibition Act. Last week, this Congress voted overwhelmingly to extend the moratorium on Internet taxes by 5 years. This was an important first step in our efforts to address the recommendations of the Electronic Commerce Advisory Commission Report, the Gilmore Commission report.

Today we are taking another important step in advancing the Commission's recommendations to prevent the Federal Government from imposing charges on Internet access. An important component of the eContract2000 unveiled last week was to expand digital opportunities for all Americans. The Internet provides new and exciting

opportunities for all Americans to communicate, learn and to be entertained. It is the engine of our economic growth, but it is also a force for freedom and opportunity. Banning taxes and fees on Internet access helps ensure that this opportunity is available at the lower cost to more consumers. One of the main reasons that the Internet has grown so quickly has been the relative lack of taxes and regulations. In our eContract, we promise to stick to the principle that freedom, not government intervention, is the answer to maintaining and expanding that growth. This bill is part of that promise.

Mr. Speaker, some may be disappointed that this bill does not address other related telecommunications issues, which are more complex and very controversial. As with any bill, the fact that Congress has not addressed an issue today does not mean that it will not address it in the future. There is a time and place for Congress to address those questions more thoroughly and with more reasoned thought. Silence by Congress on these other complex and controversial issues should not be interpreted as anything other than that they are complex and controversial issues.

H.R. 1291 is intended as a simple, straightforward bill designed to ban access charges on the Internet. Please join me today in voting to keep the Internet free of excessive taxes, fees and regulations so that we can provide more digital opportunities for more Americans.

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

Mr. DINGELL. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, we are here on the House floor today debating a bill that flew through the Committee on Commerce, skipping a subcommittee markup in order to address some Internet access charge issues. Now many Members have received letters about a bill that would impose a modem tax, a per-minute-fee on e-mail or consumers' general Internet use. This fictitious bill sponsored by the equally fictitious Representative Schnell purports to impose new fees on Internet use.

The proposal here on the floor, which is styled as a remedy to any chance that the FCC might some day permit access charges to be imposed on Internet service providers, is also a work of fiction. This is not a bill that we should send on to President Clinton. This is a bill that should be sent over to the Federal Trade Commission for false advertising.

This bill does not prohibit per minute access charges on Internet service providers. Let me repeat that thought. This bill does not prohibit per minute access charges on Internet service providers. This bill only prohibits access charges that are for universal service

to help poor people, to help rural Americans. That is the only thing that it prohibits.

The only thing that this bill prohibits is for charges to be assessed that ensures that inner-city residents who cannot afford phone service are given access to it; that ensures that rural Americans who have always been given subsidies through the universal service charge are prohibited from looking at this as a source of revenues in order to help those rural Americans, in order to help those inner-city Americans be given access to phone service.

This bill only prohibits access charges that help those people. Representative Schnell, this fictitious Congressman to whom we are responding right now, his idea, his vision of not helping those poor people is alive and well in this bill on the floor here today. Under this bill, access charges would be permitted as long as they do not go to universal service. In other words, access charges levied by local phone companies to recoup their costs or for profit for themselves are fully permitted under this bill.

So this is a great moment here for the Congress? We are going to prohibit anything from being done for poor people or rural Americans for their phone service, but we are going to make sure and protect the phone companies so that they can make more profits. I think this is an emergency bill of the highest and most important, paramount interest if that is why we are out here, just to help phone companies and to make sure that poor people cannot be helped.

Since today there is a roaring debate about whether and, if so, how much of today's access charges actually support universal service, the prohibition contained in the bill actually prohibits very little. Any Internet companies that think that today's bill codifies the Internet access charge exemption are quite mistaken. We are not. Phone companies can still tip them upside down under this bill.

In addition, the second part of the bill that gives the FCC a big legislative wink to look at access charges on Internet telephone providers is also something that is very questionable.

I offered an amendment in the committee to prohibit the FCC from authorizing per minute charges on Internet telephone calls. It would have allowed a flat rate fee for universal service so that all competitors contributed to universal service but would have banned per minute charges for Internet telephone service. I believe we need to safeguard the flat rate nature of the Internet for consumers. At the full committee markup, I was told that prohibiting per minute charges on Internet telephone calls was premature, premature. Why on earth would we ever want to permit the FCC from allowing per minute charges or per minute fees on the Internet for anything? When would this be a good idea? The only people who want per

minute charges on Internet telephone calls are those who do not want to compete in the marketplace against flat rate telephone calls, and that is why this bill is out here on the floor.

Moreover, creating a glaring savings clause in the bill for per minute charges on Internet telephone calls ignores the fact that assessing per minute charges would pose a huge privacy issue. Who is going to monitor someone's Internet usage to see whether their bits are e-mail bits, which are Web surfing bits and which are telephone calls? Is the FCC going to be checking out every one of our phone bills to see which one of us is using it for which?

I think we can codify the existing Internet access exemption, but this bill only does part of it. Moreover, I think that we can codify the existing Internet charge access exemption, but this bill only does part of it.

□ 1045

Moreover, I think we need to move quickly to prohibit per minute charges for Internet telephone calls, which this bill specifically fails to do. That failure is very, very troubling for the future of the Internet's flat rate pricing structure, and one that every high-tech company and Internet consumer should take notice of. This is not a good bill. This heads in just the opposite direction of where we should be heading with the Internet, the flat rate system we have had for the last 13 years. A no vote is justified.

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDI).

Mr. TANCREDI. Mr. Speaker, I thank the gentleman for yielding time to me.

I would like to join other Members in support of the bill offered by the gentleman from Michigan (Mr. UPTON), as it was originally introduced.

Avoiding per-minute charges for Internet access service, as we have since 1987, remains a worthwhile objective. How we treat Internet telephony will dictate the extent to which millions of Americans choose an affordable, yet innovative, alternative to traditional telephone services today.

This is why I share the view of others that the SEC should not rush in and impose access charge regimes on providers of Internet telephone services. Access charges were designed in the wake of the break-up of AT&T to require long distance providers a means to compensate the local telephone monopoly.

The FCC should carefully study the issue and reform today's current access charge regime before it rushes in to impose old regulations on new Internet applications.

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

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to distinguished gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I am proud to be a cosponsor of H.R. 1291, and congratulate my colleague, the gentleman from Michigan (Mr. UPTON) for his leadership. I believe Congress is well-intentioned today by not allowing the FCC the ability to impose per minute charges on Internet access services.

I want to say so long to Congressman Snell and his 602-P legislation. I am sure everyone has received hundreds if not thousands of e-mails, like we have in our office, concerning this fictitious Member of Congress and this fictitious legislation.

Mr. Speaker, in our markup my colleague, the gentleman from Michigan (Mr. DINGELL), our ranking member, said sometimes this Congress does better by sponsoring fictitious bills by fictitious Members than they do real life legislation. H.R. 1291 is real life legislation, but I agree with the gentleman, oftentimes. Hopefully the voters would not have elected Congressman Schnell, anyway, if he had introduced such a bill.

We all know that per minute access would devastate the Internet. The explosive growth in data traffic has clearly demonstrated that per minute access charges would quickly drive consumers off the Internet. I do not believe that the intention of anyone here is to do that. We need to expand the Internet and continue its growth, and allow people to expand the ability that it provides.

Because access fees were originally designed for voice traffic, there was little concern about adding a few cents per minute to fund the maintenance of the telecommunications infrastructure. Unfortunately, the length of consumers' calls differs from the amount of time consumers may be online, and access charges were designed for the typical 5-minute phone call. They were not intended for the 45 minutes average that our constituents spend online on the Internet.

I do have some concern, and I know we tried to address it in the committee, about the impact this would have on the solvency of the universal service fund. We do not know what telephone service will look like 5 years from now, but hopefully this Congress will be responsive and will pass this bill today.

Mr. DINGELL. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we have here a bill which has merit, limited. We have a bill which is directed at solving a problem which really does not exist. We have need to address the major problem of the universal service fund, which may very well be drying up under this, which will result in significant cost increases to inner city dwellers and to residents of rural areas.

It is a shame that we are not addressing the more important questions that we need to address, rather than to re-

spond in this hasty fashion to a problem which really does not exist.

The first application for this kind of relief had begun very shortly after the FCC made Internet charges no longer possible back in the 1980s. They have had many applications for this kind of thing since and have never once accorded any reality to those charges, so I think it would be better that we address real problems rather than fictitious ones.

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

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

Mr. Speaker, let me first point out that there is no contribution to universal service right now in any access charge assessed against Internet users for data services. This is not occurring. The FCC has an exemption on the books right now that prevents such access charges for universal service. Universal service is not threatened by this bill today, and no one should feel otherwise.

Secondly, there is no Member of the House who has proposed to make access charges for data services on the Internet support universal service. The only person who suggested that is this artificial bogus Congressman, Congressman Schnell, that is the subject of some e-mail conversation on the web.

Third, if there was an opportunity to create a digital divide here, it would be in the case if Congressman Schnell or some litigator in the Eighth Circuit or some litigator at the FCC ever succeeded in changing the FCC's exemption.

If ever these litigators succeeded in assessing per minute charges for data use of the Internet, indeed, we would be helping to create a digital divide. It is the absence of per minute charges on the Internet that is making the Internet affordable to poor people, to children, to struggling new-coming businesses on the web; to the growth, in fact, of the electronic commerce in America and across the world.

It is the absence of per minute charges that is helping us to make sure that a digital divide does not happen when it comes to access to the Internet for children, libraries, hospitals, schools, for people in general in this country.

Today we codify that rule. In this bill we say never shall the FCC assess per minute charges for access to the Internet for data services. That is a good thing. We ought to put this to rest. This bill does it. I commend my friend, the gentleman from Michigan (Mr. UPTON) for doing so.

We leave to a future debate the question of telephone service, where indeed universal service is critically important. We leave that debate open. We make no judgment. We are neutral on that point.

This is a good bill. It deserves the support of the House. I urge its final passage.

Mr. GOODLATTE. Mr. Speaker, the bill considered by the House today should put to rest

any undue concern on the part of the American people that Congress intends to tax their Internet access. By keeping Internet service unregulated and unburdened by taxation, we have allowed millions of Americans to access these services and, in turn, created a boom in electronic commerce that has transformed the way we live and do business today in this country.

H.R. 1291 reaffirms the decision made more than a decade ago that access fees should not be imposed on Internet service providers. This has allowed consumers in droves to access the Internet on an affordable flat-rate basis, rather than a per-minute basis. It's simple economics: the less you tax supply, the more consumer demand you create.

I recognize that parts of this bill might create the mistaken impression that Congress is encouraging Federal regulators to impose access fees on Internet telephone services. I want to make clear that this bill is no way meant to encourage the FCC to apply existing access charges to providers of Internet telephone services. Rather than pile on additional charges for Internet users, we ought to first figure out how to reform telephone access charges as Congress instructed the FCC to do in 1996. The last thing we want to do is impose charges that will discourage consumers from embracing the Internet and the innovative services that will revolutionize the way we live and work.

Mr. BENTSEN. Mr. Speaker, I strongly support H.R. 1291, the Internet Access Charge Prohibition Act. This legislation will ensure that Internet Service Providers (ISPs) are not required to pay access charges to connect to the Internet. As a result, consumers will continue to have lower prices for their Internet access.

In this Information Age, the number of consumers who use the Internet daily for their work and education continues to grow. This legislation will ensure that Internet access remains reasonable and accessible for all Americans.

In 1983, the Federal Communications Commission (FCC) established rules which require long distance companies to pay "access charges" to local telephone companies for connecting a long-distance call to local telephone networks. These access charges are paid to both networks where the call originates and where the call ends. In addition, part of these access charges help to pay for the Universal Service Fund which subsidizes the cost of telephone services to rural and high-cost areas and low-cost individuals. In addition, this Universal Service Fund helps to provide low-cost Internet connections for schools and libraries. The current average access charge is 2.4 cents-per-minute which is paid by consumers.

The FCC however, does not permit local telephone companies to impose these access charges to ISPs because they classify these ISPs as "enhanced service providers." Recently, the FCC reviewed this matter again and determined that ISPs should continue to be exempt from these access charges. In May 1997, the Court of Appeals for the Eighth Circuit upheld this FCC decision and this decision remains in effect today.

Regrettably, there is a persistent rumor on the Internet that these fees are going to be imposed on all electronic mail (E-mail) messages. In my congressional district, I have

heard from many constituents that they are concerned about the burden that these fees would impose upon them. This legislation, H.R. 1291, would prohibit the FCC from imposing any per-minute access fees on ISPs if such fees are going to be dedicated to the federal Universal Service Fund activities. This legislation will permanently protect consumers who use the Internet daily. I am pleased that Congress has acted to provide this common-sense consumer protection to all Internet users.

I strongly urge my colleagues to support this bill, H.R. 1291.

Mr. UDALL of Colorado. Mr. Speaker, I would like to join other Members in applauding the intention of Mr. UPTON's bill as introduced. Avoiding per-minute charges for Internet access services is a very worthy goal. The use of per-minute access charges for the Internet has plagued the development of the Internet is no many other countries. We should do what is needed to continue a flat-rate charging mechanism.

However, H.R. 1291 also includes a "Rule of Construction" that I find a little troubling. The provision says that nothing in the bill precludes the FCC from imposing access charges on Internet telephone providers. This refers to the charges long-distance telephone companies must pay to local telephone companies for connecting a long-distance call to local telephone networks—both where the call originates and where it terminates.

I don't believe that this provision is intended to encourage the FCC to rush in and impose today's access charge regime on providers of Internet telephone services. Nor do I think the FCC has plans to impose any access charges at the present time.

Still, given the wording of this provision, I think it's important to emphasize that an imposition of old-style access charges on Internet telephony would be short-sighted. Access charges are based on a distinction between local and long-distance that the Internet is rendering irrelevant. The FCC should carefully study the issue and reform today's current access charge regime before it rushes in to impose old regulation on new Internet applications.

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 1291, the Internet Access Charge Prohibition Act of 2000, and I urge my colleagues to join me in supporting this bill.

The Committee on Commerce last week reported H.R. 1291, a bill that was introduced by my friend and colleague from Michigan, Mr. UPTON.

His bill, H.R. 1291, will help to ensure consumers continue to have affordable access to the Internet. More to the point, his bill will block the FCC's ability to impose per-minute charges on consumers' Internet access services, when those charges are intended for support of universal service.

In doing so, this bill will help preserve the flat-rate pricing structure Americans enjoy today for their Internet services. Flat-rate pricing, as opposed to per-minute charging, is one of the reasons the Internet has flourished in this country, and why Internet usage is so high here, compared to other countries.

Preserving that flat-rate pricing scheme is a commendable goal, and I think Mr. UPTON for his efforts in that regard. The Report of the Advisory Commission on Electronic Commerce, chaired by my good friend, the gov-

ernor of Virginia, Mr. Gilmore, recommended that Congress deregulate Internet access services. That is the intention of H.R. 1291.

I note that some have raised concerns that the bill could be used to impose per-minute access charges on providers of Internet telephony. That is not the intention, nor the effect, of the bill.

The FCC is not encouraged by this bill to extend today's access charge regime on providers of Internet telephony. That regime was devised in a very different time, for a very different situation. Access charges were designed in the early 1980's to compensate the local telephone companies for the use of their local loop facilities. These charges are predicated on a traditional distinction between local and long-distance services that the Internet is making irrelevant.

Choice telephone service is merely one type of application over the Internet. Internet voice should no more be subject to per-minute access charges than Internet access services. If we want to avoid per-minute charges on the Internet, we should avoid such charges for all Internet applications.

In the meantime, the House should begin the process now of ensuring that consumers can continue to have affordable, flat-rate prices for access to the Internet. I urge my colleagues to support the bill before us today.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the bill, H.R. 1291, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE FEDERAL GOVERNMENT'S RESPONSIBILITY FOR STARTING A DESTRUCTIVE FIRE NEAR LOS ALAMOS, NEW MEXICO

Mrs. CHENOWETH-HAGE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 326) expressing the sense of the Congress regarding the Federal Government's responsibility for starting a destructive fire near Los Alamos, New Mexico.

The Clerk read as follows:

H. CON. RES. 326

Whereas on May 4, 2000, the National Park Service initiated a prescription burn on Federal land during the southwest's peak fire season;

Whereas on May 5, 2000, the prescription burn exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and spread to non-Federal land, quickly becoming characterized as a firestorm;

Whereas by May 7, 2000, the fire had grown in size and caused evacuations in and around Los Alamos, New Mexico, including the Los Alamos National Laboratory, one of America's leading national research laboratories and birthplace of the atomic bomb;