

their facilities. In return, carriers will be compensated at the same rate that wireless carriers pay to interconnect. This interconnection mandate is necessary so that consumers will have timely access to 911 services.

This legislation will connect the 98 million Americans that live in areas where VOIP providers do not yet have access to the 911 network and are unable to receive reliable VOIP 911 services.

My colleague Mr. SHIMKUS and I are co-chairs of the E-911 Caucus and I thank him for his terrific work on this issue. We've worked closely together and passed legislation to provide federal grants to enhance our emergency communications system. So far no funding has been appropriated for this purpose but we were successful in passing an amendment to the Commerce, Justice, Science Appropriations that added \$5 million for this grant program. The funding "plants the seed" for advanced E-911 equipment so necessary in our communities.

This is a good bill and I strongly support it and urge Members to vote for it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, H.R. 3403, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOHMERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## BROADBAND CENSUS OF AMERICA ACT OF 2007

Mr. MARKEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3919) to provide for a comprehensive nationwide inventory of existing broadband service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3919

*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 "Broadband Census of America Act of 2007".

### SEC. 2. CENSUS OF BROADBAND SERVICE DEPLOYMENT.

(a) DUTY TO COLLECT AND REPORT.—

(1) ANNUAL ASSESSMENT AND REPORT.—The Commission shall, on an annual basis, conduct an assessment and publish a report on the nature and deployment of, and subscription to, broadband service capability throughout the States.

(2) BANDWIDTH SERVICE TIERS.—The Commission shall designate bandwidth service tiers by identifying tiers of increasing data transmission speeds of broadband service capability that will provide useful information about the nature and extent of deployment

of broadband service capability. At a minimum, the tiers in the aggregate shall encompass all data transmission speeds deployed, and shall consist of multiple combinations of upstream and downstream data transmission speeds. Each tier shall be designated, to the extent possible, to correspond to the ability to support qualitatively different applications and services, which the Commission shall also identify.

(3) INFORMATION COLLECTION.—The Commission shall collect, or provide for the collection of, information from all commercial and public providers of broadband service capability under its jurisdiction in each State. Such information shall include—

(A) for each area encompassed by a United States postal zip code of the 5 digit level—

(i) information concerning the types of technology used to provide broadband service capability in such area;

(ii) the tiers designated under paragraph (2) used to provide such capability in such area; and

(iii) the actual number of residential subscribers and the actual number of business subscribers in such area; and

(B) for each State, the actual number of residential subscribers and the actual number of business subscribers for each tier of service designated under paragraph (2).

(4) INFORMATION REPORTED.—In the annual report required by paragraph (1), the Commission shall provide to the public—

(A) for each area encompassed by a United States postal zip code of the 5 digit level—

(i) a list of the types of technology used to provide such capability in such area; and

(ii) the actual number of residential subscribers and the actual number of business subscribers to broadband service capability in such area, each in the aggregate; and

(B) for each State, the actual number of residential subscribers and the actual number of business subscribers for each tier of service designated under paragraph (2), each in the aggregate.

(b) EVOLUTION OF ASSESSMENT.—The Commission shall periodically review both the bandwidth service tiers and the types of technology utilized in its assessment under subsection (a) to take into account changes in technology and marketplace conditions.

(c) INTERNATIONAL COMPARISON.—

(1) INTERNATIONAL COMPARISON.—As part of the assessment and report required by this section, the Commission shall include information comparing the extent of broadband service capability (including data transmission speeds and price for broadband service capability) in a total of 75 communities in at least 25 countries abroad for each of the tiers designated pursuant to subsection (a)(2).

(2) CONTENTS.—The Commission shall choose communities for the comparison under this subsection in a manner that will offer, to the extent possible, communities of a population size, population density, topography, and demographic profile that are comparable to the population size, population density, topography, and demographic profile of various communities within the United States. The Commission shall include in the comparison under this subsection—

(A) a geographically diverse selection of countries; and

(B) communities including the capital cities of such countries.

(3) SIMILARITIES AND DIFFERENCES.—The Commission shall identify relevant similarities and differences in each community, including their market structures, the number of competitors, the number of facilities-based providers, the types of technologies deployed by such providers, the applications and services those technologies enable, and

the regulatory model under which broadband service capability is provided.

(d) PROTECTION OF INFORMATION.—Except for the information provided to the public by the Commission in its annual report pursuant to subsection (a)(4), nothing in this section shall reduce or remove any obligation the Commission has to protect proprietary information, nor shall this section be construed to compel the Commission to make publicly available any proprietary information. Any information collected by the Commission pursuant to subsection (a)(3) that reveals any competitively sensitive information of an individual provider of broadband service capability shall not be disclosed by the Commission under subsection (a)(4) or otherwise.

(e) REGULATIONS.—The Commission shall, within 180 days after the date of the enactment of this Act, promulgate regulations to implement this section.

(f) ENFORCEMENT AUTHORITY.—The Commission shall enforce this section as if such section was a part of the Communications Act of 1934. For the purpose of this section, any violations of this section, or any regulations promulgated under this section, shall be considered to be a violation of the Communications Act of 1934 or a regulation promulgated under that Act, respectively.

### SEC. 3. BROADBAND INVENTORY MAP.

(a) ESTABLISHMENT.—To provide a comprehensive nationwide inventory of existing broadband service capability and availability, the NTIA shall develop and maintain a broadband inventory map of the United States that identifies and depicts the geographic extent to which broadband service capability is deployed and available from a commercial provider or public provider throughout each State.

(b) INFORMATION SHOWN.—The broadband inventory map developed and maintained pursuant to this section shall be capable of identifying and depicting, nationwide, for each State, and for each county or parish of each State—

(1) each area encompassed by a United States postal zip code of 9 digit level, census tract level, or functional equivalent in which broadband service capability is deployed at that time, including—

(A) each commercial or public provider of broadband service capability within such area; and

(B) subject to subsection (f)(5)—

(i) each type of technology used to provide broadband service capability within such area; and

(ii) which bandwidth service tiers designated pursuant to section 2(a)(2) are available within such area for each provider of broadband service capability; and

(2) each area encompassed by a United States postal zip code of 9 digit level, census tract level, or functional equivalent in which broadband service capability is not deployed at that time.

(c) DATA USE ENCOURAGED.—The NTIA shall—

(1) seek to overlay demographic data obtained from other sources in the Department of Commerce and elsewhere for use with such broadband inventory map; and

(2) make available such map, and the information on which it is based, to such other sources in the Department for demographic purposes, subject to section 7.

(d) PUBLIC AVAILABILITY AND INTERACTIVITY.—Not later than 2 years after the date of the enactment of this Act, the NTIA shall make the broadband inventory map developed and maintained pursuant to this section accessible by the public on a World Wide Web site of the NTIA in a form that is interactive and searchable.

(e) **UPDATING.**—The NTIA shall update the broadband inventory map developed and maintained pursuant to this section to ensure that the information provided by the broadband inventory map is timely and accurate.

(f) **OBTAINING INFORMATION.**—

(1) **IN GENERAL.**—The NTIA shall request and obtain such information as may be necessary to carry out this section from the following:

(A) eligible entities under section 4;

(B) the Commission; and

(C) commercial and public providers of broadband service capability.

(2) **PRIORITY OF INFORMATION REQUESTS.**—If the NTIA has not otherwise obtained such information pursuant to paragraph (3), the NTIA shall—

(A) first request and try to obtain such information from such eligible entities before requesting and obtaining such information from the Commission; and

(B) only request such information from commercial and public providers of broadband service capability if such information cannot be obtained in a timely fashion from such eligible entities or the Commission.

(3) **COMPATIBLE FORMAT.**—Such entities or such providers may elect to provide the NTIA with the information necessary for displaying a statewide map, provided that such map meets, at a minimum, the requirements of subsection (b) for that State and such information is in a format that NTIA is able to incorporate into the broadband inventory map required under this section. Nothing in this paragraph precludes such providers or any such entity, with agreement of the providers concerned, from providing to the NTIA, or using for its own purposes, more geographically-specific information than required by subsection (b).

(4) **ADDITIONAL INFORMATION, INCLUDING WIFI HOTSPOTS.**—The NTIA shall also try to obtain accurate information from reliable publicly available sources about broadband service capability that is offered to the public but that is not provided by either a commercial provider or a public provider directly to the public.

(5) **OPT-OUT BY PROVIDERS.**—Notwithstanding subsection (b)(1)(B), if a provider of broadband service capability requests that the map developed and maintained pursuant to this section shall not depict the information in clause (i) or (ii), or both, of such subsection for a particular area or areas, the NTIA shall comply with such request.

(g) **PROTECTION OF INFORMATION.**—Except for the information provided to the public by the NTIA in subsection (d), nothing in this section shall reduce or remove any obligation the NTIA has to protect proprietary information, nor shall this section be construed to compel the NTIA to make publicly available any proprietary information. Notwithstanding any other provision of this section, any information obtained by NTIA pursuant to subsection (f) that reveals competitively sensitive information of an individual provider of broadband service capability shall not be disclosed by NTIA.

**SEC. 4. GRANTS TO STATES FOR BROADBAND MAP DEVELOPMENT.**

(a) **IN GENERAL.**—The NTIA may, to the extent amounts are made available pursuant to section 10(b) for use under this section, make grants to an eligible entity to assist in providing the NTIA with information to facilitate the development of the broadband inventory map required under section 3.

(b) **STATE ENTITY APPLICATION AND DESIGNATION.**—An eligible entity in any State that seeks to obtain a grant under this section shall submit an application to the NTIA at such time, in such form, and containing

such information and assurances as the NTIA may require.

(c) **USE.**—Amounts from a grant under this section may be used only for costs involved in developing and obtaining information for the broadband inventory map required under section 3.

(d) **CONDITIONS.**—

(1) **INFORMATION SHARING.**—As a condition of receipt of a grant under this section, the eligible entity shall agree to provide to the NTIA the information developed or obtained using such grant amounts and necessary for the broadband inventory map required under section 3.

(2) **MATCHING REQUIREMENT.**—An eligible entity may not obtain a grant under this section to carry out the activities under this section unless such entity agrees to provide, from non-Federal funds, an amount equal to not less than 20 percent of the amount of the grant toward the costs of carrying out such activities.

(e) **GRANT CRITERIA.**—The NTIA shall select an eligible entity to receive a grant under this section based upon criteria that shall include—

(1) whether such entity requesting a grant is organized on a statewide basis and prepared to develop information for use by NTIA on a timely basis;

(2) the need of such entity for financial support, taking into account the financial support from State or other sources, to fulfill the objectives of this Act; and

(3) whether the denial of such entity's grant request would—

(A) result in the inability of such entity to develop information on a timely or comprehensive basis; and

(B) result in a gap in the information for that State or otherwise thwart the objectives of this Act.

(f) **REGULATIONS.**—The NTIA shall issue such regulations as may be necessary to carry out the functions assigned under this section.

(g) **ELIGIBLE ENTITY.**—For the purposes of this section, the term “eligible entity” for any State means—

(1) an entity that is either—

(A) an agency or instrumentality of that State, or a municipality or other subdivision (or agency or instrumentality of a municipality or other subdivision) of that State; or

(B) a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from taxation under section 501(a) of such Code; and

(2) the entity is the single eligible entity in such State that has been designated by the State to receive a grant under this section.

**SEC. 5. GRANTS FOR DEMAND-SIDE BROADBAND SERVICE IDENTIFICATION AND ASSESSMENTS.**

(a) **GRANT AUTHORITY.**—From the amounts appropriated under section 10(c), the NTIA shall establish a grant program to create and facilitate the work of local technology planning entities that represent a broad cross-section of their community, including representatives of business, telecommunications labor organizations, consumer organizations, elementary and secondary education, health care providers, libraries, higher education, community-based organizations, tribal organizations, and local government.

(b) **STATE ENTITY APPLICATION AND DESIGNATION.**—Each eligible planning entity in any State that seeks to obtain a grant under this section shall submit an application to the NTIA at such time, in such form, and containing such information and assurances as the NTIA may require. Such application shall contain a demonstration that—

(1) the entity is an eligible planning entity; and

(2) the eligible planning entity—

(A) is the single eligible planning entity in such State that has been designated by the State for an exclusive geographic area within the State to receive a grant under this section; or

(B) is the single eligible planning entity that is designated by the governing body of an Indian tribe to receive a grant under this section.

(c) **USE OF FUNDS.**—Amounts from a grant under this section shall be used to assist an eligible planning entity to—

(1) assess the current use of broadband service capability across relevant community sectors;

(2) set goals for improving or maximizing such use within each sector;

(3) develop a plan for achieving the eligible planning entity's goals, with specific recommendations for identifying and spurring demand for such capability;

(4) collaborate with providers of broadband service capability and other high technology companies to encourage the deployment and use of broadband service capability in unserved and underserved areas;

(5) identify local demand for broadband service capability and aggregate such demand;

(6) establish programs, but not acquire equipment or facilities, to improve computer ownership and Internet access for unserved and underserved populations; and

(7) facilitate the exchange of information regarding the use and demand for broadband service capability between the public and private sectors.

(d) **PROHIBITION.**—Funds made available by a grant under this section shall not be used for the provision of broadband service capability or the acquisition of equipment or facilities for such capability, except that this prohibition shall not prohibit an eligible planning entity's use of such funds to acquire broadband service capability or equipment or facilities for such capability for use by such entity in its own conduct of planning activities.

(e) **REGULATIONS.**—The NTIA shall issue such regulations as may be necessary to carry out the functions assigned under this section.

(f) **ELIGIBLE PLANNING ENTITY.**—For the purposes of this section, the term “eligible planning entity” for any State means—

(1) an agency or instrumentality of that State, a municipality or other subdivision (or agency or instrumentality of a municipality or other subdivision) of that State, or an Indian tribe; or

(2) a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from taxation under section 501(a) of such Code.

**SEC. 6. CONSUMER SURVEY OF BROADBAND SERVICE CAPABILITY.**

(a) **AUTHORITY.**—For the purpose of evaluating, on a statistically significant basis, the national characteristics of the use of broadband service capability, the Commission shall conduct and make public periodic surveys of consumers in urban, suburban, and rural areas in the large business, small business, and residential consumer markets to determine the following:

(1) The types of technology used to provide the broadband service capability to which consumers subscribe.

(2) The amounts consumers pay per month for such capability.

(3) The actual data transmission speeds of such capability.

(4) The types of applications and services consumers most frequently use in conjunction with such capability.

(5) For consumers who have declined to subscribe to broadband service capability,

the reasons given by such consumers for declining such capability.

(6) Other sources of broadband service capability which consumers regularly use or on which they rely.

(7) Any other information the Commission deems appropriate for such purpose.

(b) PUBLIC AVAILABILITY.—The Commission shall make publicly available the results of surveys conducted under this section at least once per year.

#### SEC. 7. CONFIDENTIALITY OF CONSUMER INFORMATION.

(a) IN GENERAL.—The Commission shall, within 180 days after the date of the enactment of this Act, promulgate regulations—

(1) to protect the confidentiality of personal consumer information collected for the purposes of this Act;

(2) to require the Commission, the NTIA, and each other entity that collects or controls such information for the purposes of this Act (including any eligible entity under section 4, eligible planning entity designated under section 5(b)(2), and commercial and public provider of broadband service capability) to protect the confidentiality of such information; and

(3) to permit such information to be disclosed by such entities only to the extent consistent with the provisions and for the purposes of this Act, or with the prior express authorization of the consumer to whom it pertains.

(b) LIMITATION.—The regulations promulgated under subsection (a) shall not preclude the ability of any consumer or other person or entity to search, by individual street address, the broadband inventory map developed and maintained pursuant to section 3, or any of the individual State maps that may compose it.

#### SEC. 8. STATE OR LOCAL AUTHORITY.

Except as provided in section 7, nothing in this Act shall be construed to expand or limit the authority of States, Indian tribes, or units of local government to compel the collection of information.

#### SEC. 9. SUNSET PROVISIONS.

(a) BROADBAND DEPLOYMENT INFORMATION & CONSUMER SURVEY.—Sections 2 and 6 shall cease to be effective after the end of the 6-year period beginning on the date of the enactment of this Act.

(b) BROADBAND INVENTORY MAP.—Section 3 shall cease to be effective after the end of the 7-year period beginning on the date of enactment of this Act.

#### SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out sections 3 and 4 of this Act—

- (1) \$20,000,000 for fiscal year 2008;
- (2) \$20,000,000 for fiscal year 2009; and
- (3) \$20,000,000 for fiscal year 2010.

(b) BROADBAND MAP INFORMATION DEVELOPMENT GRANTS.—Of any amounts appropriated in each fiscal year pursuant to subsection (a), not less than \$15,000,000 shall be available only for grants under section 4.

(c) LOCAL TECHNOLOGY PLANNING GRANTS.—In addition to the amount appropriated under subsection (a), there is authorized to be appropriated to make grants under section 5—

- (1) \$50,000,000 for fiscal year 2008;
- (2) \$100,000,000 for fiscal year 2009; and
- (3) \$125,000,000 for fiscal year 2010.

#### SEC. 11. DEFINITIONS.

For the purposes of this Act, the following definitions shall apply:

(1) BROADBAND SERVICE CAPABILITY.—The term “broadband service capability” means an Internet Protocol-based transmission service that is offered to end users to enable such end users to send and receive voice, video, data, graphics, or a combination, to or

from the Internet without regard to any transmission media or technology.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(4) NTIA.—The term “NTIA” means the National Telecommunications and Information Administration of the Department of Commerce.

(5) PERSONAL CONSUMER INFORMATION.—The term “personal consumer information”—

(A) means information that allows a human being to be identified individually;

(B) includes the following information with respect to an individual:

- (i) the first and last name;
- (ii) a home or physical address;
- (iii) a date or place of birth;
- (iv) an email address or a telephone number;

(v) a Social Security account number, tax identification number, birth certificate number, passport number, driver's license number, or any other any government-issued identification number; or

(vi) a credit card number or bank account or card number; and

(C) does not include any record of aggregate information that does not permit the identification of particular individuals.

(6) PROVIDER.—

(A) PUBLIC PROVIDER.—The term “public” when used with respect to a provider of broadband service capability means a provider that is an agency or instrumentality of a State, or a municipality or other subdivision (or agency or instrumentality of a municipality or other subdivision) of a State, regardless of the facilities used.

(B) COMMERCIAL PROVIDER.—The term “commercial” when used with respect to a provider of broadband service capability means a provider that offers broadband service capability for a fee, or on an advertising-supported basis, directly to the public or to such classes of users as to be effectively available to the public, regardless of the facilities used.

(7) STATE.—The term “State” means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Northern Mariana Islands, and any other territory and possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Michigan (Mr. UPTON) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

I rise to suspend the rules and to pass the Broadband Census of America Act of 2007 because, Mr. Speaker, the overarching telecommunications policy goal of the United States is achieving ubiquitously available, competitive, high-speed, affordable broadband service to all Americans. Such broadband service capability is indispensable to various aspects of the United States economy, including public safety, education, entrepreneurial investment, innovation, job creation, health care delivery, and energy efficiency.

The ability of the United States to promote and achieve a competitive

high-speed broadband infrastructure will also be a key factor in determining our Nation's success in the fiercely competitive global economy.

International competitors to the United States are achieving progress in broadband deployment and adoption. Many countries have broadband service capabilities superior to the United States in terms of choice, speed, and price.

For the United States, offering broadband service capability at ever higher transmission speeds could spur new growth in investment in cutting-edge applications, services, and technologies that utilize higher bandwidth functionality.

This bill represents an indispensable first step in developing an overarching blueprint for broadband policy in the United States. In brief, the Broadband Census of America Act tasked the Federal Communications Commission with collecting data from providers of broadband service capability throughout the country, and with developing a series of tiers for categorizing the speeds of such services.

The data collected will be disclosed to the public in an annual report that will include: one, the actual number of residential and business subscribers within each five-digit ZIP code with a list of the broadband technologies present in each ZIP code; and, two, the actual number of residential and business subscribers, correlated to each broadband speed tier identified by the FCC on a statewide basis.

This bill also encompasses a broadband mapping effort as well as community organization initiatives for unserved and underserved areas to increase knowledge of where, what type, and what speed of broadband service may be available.

The bill requires the National Telecommunications Information Agency to develop a national broadband availability map which will include the availability of broadband service capability at the nine-digit ZIP code level, census tract level, or functional equivalent.

This is a very consumer-friendly mapping function and “demand side” identification initiative that consumer groups, the high-tech community and the telecommunications industry all support.

This map will be interactive and searchable by consumers, and at the providers' discretion will also indicate the type of technology and speed of service offered in that area.

The legislation also includes authorizations for grants to local planning entities and communities around the country. These grants are designed to increase broadband availability and usage in local communities through so-called “demand side” identification and other initiatives.

To better gauge how the country is performing compared to international competitors, the bill also requires the FCC to conduct a comparison of the extent of broadband service capability

abroad in 75 foreign communities with equivalent American communities.

This legislation reflects several months of negotiations. And I want to thank Mr. UPTON from Michigan for his patient attention to this legislation. No legislation in telecommunications has received the detailed attention that this legislation has on a bipartisan basis, and for that I want to thank Mr. UPTON.

I also want to thank the ranking member of the full committee, Mr. BARTON, for his work on this legislation. And of course on our side, Mr. DINGELL and I worked with the minority towards achieving this legislation. And with the thanks of Mr. DINGELL and myself, we once again want to point out how cooperative all of our working relationships were on this legislation.

It also has the support of consumer groups, the Communications Workers of America, NARUC Connect Kentucky, Qwest, and organizations representing the high-tech industry, the cable industry, the telephone industry, and the wireless industry.

I want to again thank Mr. UPTON and Mr. BARTON for their cooperation in working through the differences on this legislation, and to thank Mr. DINGELL for his excellent work on this legislation.

I urge Members of the House to support this bill.

At this point, Mr. Speaker, I reserve the balance of my time.

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

Someone watching this debate and they hear the nice words between the two of us, they are, for sure, very genuine. We had many hand-holding scenes and meetings over the last number of months.

I am a cosponsor of H.R. 3919, and I want to thank the gentleman from Massachusetts for allowing our thoughtful and constructive input into this process because clearly I think we ended up with a good piece of legislation. And I commend the gentleman's patience on our side as we were able to work out a consensus that, in fact, has brought us to the floor this afternoon.

I also want to thank Chairman DINGELL and Mr. BARTON for working with all of us to ensure that the bill was able to move forward in a bipartisan way. And Mr. WHITFIELD, who I remember at our first hearing on this as he talked about Connect Kentucky and the positive impact that it had there. He obviously added some good things as well to legislation. And I would urge all of my colleagues to support the legislation as it moves through this process.

I view the thrust of this legislation as an effort to get a better idea of the U.S. broadband penetration, not as a window to increased regulation of the already competitive broadband marketplace.

We were quite fortunate to learn from the successful statewide

broadband mapping plan in Kentucky called Connect Kentucky. And it isn't often that we have the advantage of looking at a successful model such as this one, which could implement in a bipartisan way again there on a national level what we're able to do on this legislation in H.R. 3919.

Connect Kentucky demonstrated perfectly how a public/private partnership can work with industry in a nonregulatory manner that benefits not only consumers, but also provides a catalyst to greater broadband investments.

I urge my colleagues to support this legislation.

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

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. SPACE), who has spent a considerable amount of time working on this legislation.

□ 1500

Mr. SPACE. Thank you, Mr. Chairman and Mr. Ranking Member, for your work on this legislation important for America and especially important for rural America. We who live in rural America understand that there are special challenges we face, whether it be in health care delivery or education, economic infrastructure. This bill will help bridge the gap that exists between rural America and urban and suburban America.

By providing a comprehensive mapping plan, we will enable access to these issues that are so vital. Many of us think about broadband in terms of economic development and the importance that it brings to economic infrastructure. Certainly, that is a big part of what access to high-speed Internet is all about. But it is more than that. It affects quality of life in many ways.

We have heard about distance learning and the affect that it has on the educational process. We have heard about telemedicine and the ability to deliver quality health care. Certainly it affects the ability of our first responders to coordinate efforts in the event of disasters or emergencies.

This is a good bill for rural America. I commend our leadership, as well as the ranking member for his leadership in helping to enact its passage.

Mr. UPTON. Mr. Speaker, I have no further Members wishing to be allocated time, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I, as well, have no additional requests for speaking time. I would like to thank the staff who worked on this bill, Tim Powderly, Amy Levine, David Vogel, Neil Fried, Courtney Reinhard, thank you, Michael Beckerman, and I would like to thank Maureen Flood from my staff for her excellent work on this legislation. And to correct an oversight from the last piece of legislation, I would like to thank Colin Crowell, who has worked on both this bill and the last bill which just passed as well. I can't say enough about Colin and his

work on all of these issues to bring them to a conclusion that is truly bipartisan and nonideological.

GENERAL LEAVE

I also ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3403, as amended, and H.R. 3919, as amended.

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

There was no objection.

Mr. MARKEY. So with that, I again, highly recommend this piece of legislation to the Members. It is something that will give us the broadband overview that our country needs. We have been falling over the last 6 years in our international rankings. It is time for us to find out exactly where we are because it will help us to put together the policies that will make us No. 1 looking over our shoulders at No. 2 and 3 in the world.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 3919, the "Broadband Census of America Act of 2007".

This bipartisan legislation marks an important step in bringing us closer to affordable, robust broadband service for all Americans.

Currently the Government does not adequately collect information on the extent of broadband deployment and usage in the United States. H.R. 3919 addresses this knowledge gap by improving the quality and quantity of data that the Government is authorized to collect concerning broadband availability and subscribership. Armed with this information, Government decision-makers will have the in-depth information necessary to craft informed, coherent broadband policy.

H.R. 3919 calls for the creation of a national broadband inventory map. This map will depict, at granular levels, where broadband service is available. We are informed by the efforts of States such as Kentucky that have successfully developed similar maps. State-level experience tells us that this map will likely spur the deployment of additional broadband facilities and will be a valuable resource for consumers.

H.R. 3919 will also jump start efforts by local communities to improve broadband deployment and usage through the creation of grant programs to facilitate the collection of data for the broadband inventory map and local technology planning. These programs will help bring broadband facilities to communities that currently have little or no service.

This is a good bill produced through positive, bipartisan efforts. I commend Ranking Member BARTON, Subcommittee Chairman MARKEY, and Subcommittee Ranking Member UPTON for their leadership and contributions to this legislation. I am proud to support it, and I urge my colleagues to vote for it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, H.R. 3919, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

# SAFEGUARDING AMERICA'S FAMILIES BY ENHANCING AND REORGANIZING NEW AND EFFICIENT TECHNOLOGIES ACT OF 2007

Mr. BUTTERFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3461) to establish a public awareness campaign regarding Internet safety, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3461

*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 "Safeguarding America's Families by Enhancing and Reorganizing New and Efficient Technologies Act of 2007".

## SEC. 2. INTERNET SAFETY.

For purposes of this Act, the issue of Internet safety includes issues regarding use of the Internet in a manner that promotes safe online activity, including safe transactions involved in online commerce, and protects against threats to financial information and privacy, threats from cyber-crime, and threats to juveniles, including cyber-predators and material that is inappropriate for minors.

## SEC. 3. PUBLIC AWARENESS CAMPAIGN.

The Federal Trade Commission shall carry out a nationwide program to increase public awareness and provide education regarding Internet safety, for families, businesses, organizations, and other users, that utilizes existing resources and efforts of the Federal Government, State and local governments, nonprofit organizations, private technology and financial companies, Internet service providers, World Wide Web-based resources, and other appropriate entities, that includes—

(1) identifying, promoting, and encouraging best practices for Internet safety;

(2) establishing and carrying out a national outreach and education campaign regarding Internet safety utilizing various media and Internet-based resources;

(3) facilitating access to, and the exchange of, information regarding Internet safety to promote up-to-date knowledge regarding current issues; and

(4) facilitating access to Internet safety education and public awareness efforts the Commission considers appropriate to States, units of local government, schools, police departments, nonprofit organizations, and such other entities.

## SEC. 4. ANNUAL REPORTS.

The Commission shall submit a report to Congress not later than March 31 of each year that describes the activities carried out under section 3 by the Commission during the preceding calendar year.

## SEC. 5. ONLINE SAFETY AND TECHNOLOGY WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information shall establish an Online Safety and Technology working group comprised of representatives of relevant sectors of the business community, public interest groups, and other appropriate groups and Federal agencies to review and evaluate—

(1) the status of industry efforts to promote online safety through educational ef-

forts, parental control technology, blocking and filtering software, age-appropriate labels for content or other technologies or initiatives designed to promote a safe online environment for children;

(2) the status of industry efforts to promote online safety among providers of electronic communications services and remote computing services by reporting apparent child pornography under section 13032 of title 42, United States Code;

(3) the practices of electronic communications service providers and remote computing service providers related to record retention in connection with crimes against children; and

(4) the development of technologies to help parents shield their children from inappropriate material on the Internet.

(b) REPORT.—Not later than 1 year after the working group established under subsection (a) is first convened, it shall submit a report to the Assistant Secretary and the Committee on Energy and Commerce of the House of Representatives that—

(1) describes in detail its findings, including any information related to the effectiveness of such strategies and technologies and any information about the prevalence within industry of educational campaigns, parental control technologies, blocking and filtering software, labeling, or other technologies to assist parents; and

(2) includes recommendations as to what types of incentives could be used or developed to increase the effectiveness and implementation of such strategies and technologies.

## SEC. 6. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) COMMISSION.—The term "Commission" means the Federal Trade Commission.

(2) INTERNET.—The term "Internet" means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected world-wide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

## SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

For carrying out the public awareness campaign under section 3, there is authorized to be appropriated to the Commission \$5,000,000 for fiscal year 2008, which shall remain available until September 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BUTTERFIELD) and the gentleman from Michigan (Mr. UPTON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

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

Mr. Speaker, H.R. 3461, the Safeguarding America's Families by Enhancing and Reorganizing New and Efficient Technologies Act of 2007, or the SAFER NET Act as we refer to it, was introduced by Congresswoman MELISSA BEAN from Illinois. The bill, Mr. Speaker, has 41 cosponsors, and it was reported out of the Energy and Commerce Committee with unanimous, bipartisan support just 2 weeks ago, I believe it was, on October 30. As a member of the Subcommittee on Commerce, Trade and Consumer Protection, I want

to thank the gentlelady for her ongoing and tireless efforts to protect children from the lurking dangers on the Internet.

Earlier this year, the distinguished gentlewoman (Ms. BEAN) introduced H. Res. 455, which was a resolution supporting the goals of National Internet Safety Month, which passed the House on June 12. As such, the bill on the floor today is a quality legislative extension of her previous work on Internet safety.

H.R. 3461, the SAFER NET Act, directs the Federal Trade Commission to carry out a nationwide public awareness campaign about Internet safety and directs the Commission to annually report to Congress on its activity to promote Internet safety. The bill, as amended, authorizes \$5 million for 1 year to carry out this public awareness campaign.

Currently, Mr. Speaker, the Federal Trade Commission is engaged in numerous activities to promote awareness and on-line safety habits. The Commission has established a toll-free number which serves as a help line where consumers can file their complaints. Moreover, the FTC has set up a very special Web site, [www.OnGuardOnline.gov](http://www.OnGuardOnline.gov), that is all one word, to provide tips to consumers in protecting themselves and their children from Internet fraud.

Lastly, the Federal Trade Commission is engaged in a public awareness campaign to promote Internet safety through a child friendly mascot named Dewie the Turtle, much the same way that Smokey the Bear successfully promoted the prevention of forest fires many years ago. The office responsible for managing these initiatives is the Division of Consumer and Business Education. And Congresswoman BEAN's bill will aid the FTC in its laudable efforts to protect children from inappropriate content and from the predators that would do them harm.

Mr. Speaker, the Internet is one of the most significant technological developments in the history of humankind, and my friend, Mr. MARKEY, who spoke just moments before me, made that point in a profound way. The way people obtain information and communicate with each other has been completely revolutionized in a manner unthinkable just 20 years ago. However, with this great revolution comes a price. Our children are now more vulnerable to the despicable creatures that would prey on them by exploiting the powers of the Internet. It is, therefore, imperative that we in Congress do everything we can to fulfill our duties to promote healthy and safe environments for our children. The SAFER NET Act is a quality step in the right direction. I urge my colleagues to vote "yes" on this legislation and pass the bill.

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

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