

STATEMENT OF CONGRESSMAN RICK BOUCHER

Floor Statement in Support of the Community Broadband Act of 2007

August 1, 2007

Madam Speaker, I rise to introduce the Community Broadband Act of 2007 in which I am pleased to be joined by the gentleman from Michigan, Mr. Upton. I appreciate his co-authorship of the measure and the steps we have taken together to draft the bill.

Our legislation will encourage the deployment of high speed networks by ensuring the ability of local governments to offer community broadband services.

Broadband has changed the way that people in our nation live, work, transact business and obtain information. The ways people work and play today are fundamentally different from a decade ago, due in significant part to the growth and development of the Internet , faster and more efficient ways to access it and the broad new range of Internet based services now in common use.

But for our citizens to be able to reap the benefits of this transformation, they must have access to broadband, and The United States has fallen woefully

behind other developed nations in its deployment. According to the most recent statistics released by the Organization for Economic Cooperation and Development, the United States has dropped from 12th in the world to 15th for broadband penetration. The nation that invented the Internet and today creates its most popular globally utilized applications can and for the sake of our national economy must do better than that.

Most of the areas in the U.S. that lack broadband are lightly populated rural regions. Almost 20 percent of households nationwide are not served by a broadband provider, and others are served by a single provider that may charge higher rates for the service given the absence of competition. In my district, for example, we have a county with a population of 16,000 people where the most populous town has 614 residents. That county has no broadband service. I represent dozens of small communities with populations measuring in the hundreds of people where broadband is absent. That pattern is replicated across rural America, and our current global standing is a reflection of it.

It is no surprise that building out broadband to such areas is a low priority for cable and telephone service providers, but that reality does not make broadband any less essential to the lives of unserved rural residents. If the commercial broadband providers are not willing to deploy in particular areas, local governments should be able to step in and fill the gap.

At the turn of the last century, when the private sector failed to provide electricity services to much of America, thousands of community leaders stepped forward to form their own electric utilities. At that time, opponents to municipally-operated electric utilities argued that local governments were not qualified to meet this task. They also argued that competition from the private sector would be hindered by the entry of municipalities into the market. Those arguments did not prevail because it was deemed to be in the public interest to deploy the then new “essential infrastructure” universally, and today we have thriving municipal electric utilities nationwide that have well served their localities for the past century.

I believe that broadband today is the new essential infrastructure. It is every bit as necessary today as electricity service was 100 years ago, and just as with electricity service 100 years ago, in many instances, the only entity willing to provide the service today is the local government.

The Community Broadband Act of 2007 ensures that local leaders can bring broadband technology to their communities, just as local leaders did with electricity a century ago. More than 14 states have passed laws restricting public communications services. The U.S. Supreme Court has upheld the power of states to enact these barriers. Our legislation removes the barriers. It leaves room for

states to enact reasonable terms and conditions under which local governments can deploy broadband, but it overturns absolute bars to localities offering the service.

The bill includes competitive safeguards to ensure that public providers cannot abuse governmental authority by discriminating in favor of a public service to the disadvantage of private competitors.

Community broadband networks have the potential to create jobs and increase economic development, enhance market competition, and accelerate universal, affordable Internet access for all Americans. Let's give localities the freedom to create arrangements that work for them, whether they own the infrastructure and offer the service or whether they deploy the facilities and lease the lines to private service providers. The national interest requires that we harness the willingness of localities to elevate our world standing and to enrich the lives of their constituents and the economic prospects of local businesses that urgently need broadband services.

I encourage our colleagues will join Congressman Upton and me in enacting the Community Broadband Act of 2007.