

We have only to look to the history that is sadly not found in the public school textbooks of America's schools, but has been recorded by historians and anthropologists and through direct, eye-witness accounts, we know that the native people of the U.S. have made significant contributions to our society in every walk of life, in every profession, in medicine and agriculture and as stewards of the lands and resources we all hold dear.

There have been great men and women who have led their native nations out of war, poverty, and despair. Throughout the generations, they have shown us the true meaning of courage in the face of the greatest odds, and the quiet strength to persevere.

A recent nationwide poll of Americans conducted in March of this year reveals that 85 percent of those polled strongly support the setting aside of a day each year to honor the contributions that native people of this land have made to the fabric of American society. Such a day would provide an opportunity for all Americans to learn more about the rich cultural legacy that this Nation's native people have given to us.

I believe the time has come to honor the first Americans of the country in this manner, and I urge my colleagues to join me in this endeavor.

By Mr. LAUTENBERG (for himself, Mr. SMITH, Mr. KERRY, Mr. MCCAIN, Mrs. MCCASKILL, Ms. SNOWE, Mr. STEVENS, and Mr. INOUE):

S. 1853. A bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LAUTENBERG. Mr. President, I rise to introduce the Community Broadband Act of 2007. I am pleased to be joined in this effort by Senator SMITH of Oregon, Senator KERRY of Massachusetts, Senator MCCAIN of Arizona, Senator MCCASKILL of Missouri, and Senator SNOWE of Maine.

Far too many U.S. residents live in areas of the country where there is no broadband access. Too many others live in areas where there may as well be no access because broadband is so expensive. This legislation will promote economic development, enhance public safety, increase educational opportunities, and improve the lives of the people who live in those areas.

In 2004, President Bush called for universal and affordable broadband in the U.S. by the year 2007. We are now more than halfway through 2007, and the U.S. is far from reaching this goal. Not only has the U.S. failed to provide universal, affordable broadband, but we are lagging far behind other countries. A recent study by the International Telecommunication Union shows that the U.S. ranks 15th worldwide in the percentage of people with broadband connections. If you take into account

the availability of affordable broadband, the U.S. ranks 21st in the world. The U.S. should be a leader in providing fast and affordable broadband to its citizens.

Many of the countries ahead of the U.S. have successfully combined public and private efforts to deploy municipal networks that connect their residents and businesses with high-speed Internet services. The U.S. should be encouraging these innovative networks. We should not be creating obstacles for municipalities that want to provide affordable broadband access. Unfortunately, 14 States have passed legislation to prohibit or significantly restrict the ability of local municipalities and communities to offer advanced communications services and capabilities to their citizens. More States are considering such legislation. The Community Broadband Act is in response to efforts by States to tell local communities that they cannot establish networks for their residents, even in communities that have no access to broadband, in communities where access is not affordable to all residents, and in communities that want to build high-capacity networks that are comparable to those being built in the leading cities in the world.

The Community Broadband Act is a simple bill. It says that no State can prohibit a municipality from offering high-speed Internet to its residents; and when a municipality is a provider, it cannot abuse its governmental authority as regulator to discriminate against private competitors. Furthermore, a municipality must comply with Federal telecommunications laws. It also contains provisions to ensure transparency by making sure the public is aware of its town's or city's effort and intention to provide broadband either itself or in partnership with a private entity, and provides those in the community with an opportunity to be heard on the costs and benefits of the project and potential alternatives.

This bill will allow communities to make broadband decisions that would improve their economy and create jobs by serving as a medium for development, particularly in rural and underserved urban areas; aid public safety and first responders by ensuring access to network services while on the road and in the community; strengthen our country's international competitiveness by giving businesses the means to compete more effectively locally, nationally, and internationally; encourage long-distance education through video conferencing and other means of sharing knowledge and enhancing learning via the Internet; and create incentives for public-private partnerships.

A century ago, there were efforts to prevent local governments from offering electricity. Opponents argued that local governments didn't have the expertise to offer something as complex as electricity. They also argued that businesses would suffer if they faced

competition from cities and towns. But local community leaders recognized that their economic survival depended on electrifying their communities. They knew that it would take both private investment and public investment to bring electricity to all Americans.

We face a similar situation today. Municipal networks can play an essential role in making broadband access universal and affordable. We must not put up barriers to this possibility.

Some local governments will decide to do this; others will not. Let me be clear, this is not going to be the right decision for every municipality. But there are plenty of examples of municipalities that need to provide broadband, and those municipalities should have the power to do so.

A few months ago, the Parish Council of Jefferson Parish, Louisiana voted unanimously to create a wireless network. Jefferson Parish, like New Orleans, was plagued with communications problems following Hurricane Katrina. New Orleans has already created a wireless network. Now, Jefferson Parish plans to establish its own network to make sure that, should another disaster strike, emergency officials and family members will be able to communicate with one another. During non-emergency times, the network will foster communication between public workers and stimulate economic development.

These stories come from all across the country, from small towns to underserved urban areas. The small town of Granbury, TX, population 6,400, initiated a wireless network after waiting years for private industry to take an interest. In Scottsburg, IN, a city and its 6000 residents and businesses north of Louisville, KY, could not get broadband service from their local phone company. When two important businesses threatened to leave unless they could obtain broadband connectivity, municipal officials stepped forward to provide wireless broadband throughout the town. The town retained the two businesses and gained much more. There are many Granburys and Scottsburgs across the country.

There are also underserved urban areas, where private providers may exist, but many in the community simply cannot afford the high prices. For example, the City of Philadelphia reports that 90 percent of the residents of its affluent neighborhoods have broadband, whereas only 25 percent of residents in its low-income areas have broadband. For that reason, Philadelphia is now creating a city-wide wireless network.

Community broadband networks have the potential to create jobs, spur economic development, and bring the full benefits of the Information Age to everyone. I hope my colleagues will join Senators SMITH, KERRY, MCCAIN, MCCASKILL, SNOWE and me in our effort to enact the Community Broadband Act of 2007.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1853

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 "Community Broadband Act of 2007".

SEC. 2. LOCAL GOVERNMENT PROVISION OF ADVANCED TELECOMMUNICATIONS CAPABILITY AND SERVICES.

No State or local government statute, regulation, or other State or local government legal requirement may prohibit, or have the effect of prohibiting, any public provider from providing advanced telecommunications capability, or services using advanced telecommunications capability, to any person or any public or private entity.

SEC. 3. SAFEGUARDS.

(a) ADMINISTRATION.—To the extent any public provider regulates competing providers of advanced telecommunications capability or services, such public provider shall apply its ordinances and rules and policies, including those relating to the use of public rights-of-way, permitting, performance bonding, and reporting, without discrimination in favor of itself or any other provider of advanced telecommunications capability or service that such provider owns or with which such provider is affiliated.

(b) APPLICATION OF GENERAL LAWS.—Nothing in this Act exempts a public provider that offers advanced telecommunications capability or services to the public from any Federal communications law or regulation that applies to all providers of advanced telecommunications capability or services to the public.

SEC. 4. PUBLIC-PRIVATE PARTNERSHIPS ENCOURAGED.

Each public provider that intends to provide advanced telecommunications capability or services to the public is encouraged to consider the potential benefits of a public-private partnership prior to providing such capability or services.

SEC. 5. PUBLIC INPUT.

(a) NOTICE AND OPPORTUNITY TO BE HEARD.—Before a public provider may provide advanced telecommunications capability or services to the public, either directly or through a public-private partnership, such public provider shall—

(1) publish notice of its intention to do so;

(2) generally describe the capability or services to be provided and the proposed coverage area for such capability or services;

(3) identify any special capabilities or services to be provided in low-income areas or other demographically or geographically defined areas; and

(4) provide local citizens and private-sector entities with an opportunity to be heard on the costs and benefits of the project and potential alternatives to the project.

(b) APPLICATION TO EXISTING PROJECTS AND PENDING PROPOSALS.—Subsection (a) shall not apply to—

(1) any contract or other arrangement under which a public provider is providing advanced telecommunications capability or services to the public as of the date of enactment of this Act; and

(2) any public provider proposal to provide advanced telecommunications capability or services to the public that, as of the date of enactment of this Act—

(A) is in the request-for-proposals process;

(B) is in the process of being built; or

(C) has been approved by referendum.

SEC. 6. EXEMPTIONS.

The requirements of sections 3 and 5 shall not apply—

(1) when a public provider provides advanced telecommunications capabilities or services other than to the public or to such classes of users as to be effectively available to the public; or

(2) during an emergency declared by the President, the Governor of the State in which the public provider is located, or any other elected local official authorized by law to declare a state of emergency in the jurisdiction in which the public provider is located.

SEC. 7. DEFINITIONS.

In this Act:

(1) ADVANCED TELECOMMUNICATIONS CAPABILITY.—The term "advanced telecommunications capability" has the meaning given that term by section 706(c)(1) of the Telecommunications Act of 1996 (47 U.S.C. 157 note).

(2) PUBLIC PROVIDER.—The term "public provider" means a State or political subdivision thereof, any agency, authority, or instrumentality of a State or political subdivision thereof, or an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or any entity that is owned, controlled, or otherwise affiliated with a State, political subdivision thereof, agency, authority, or instrumentality, or Indian tribe.

By Mr. REID (for himself, Mr. KERRY, and Mr. DODD):

S. 1854. A bill to amend the Social Security Act and the Public Health Service Act to improve elderly suicide early intervention and prevention strategies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I rise today to introduce the Stop Senior Suicide Act.

As many of you know, suicide prevention is an issue close to my heart for personal reasons. In 1972, I lost my own father to suicide. Over the years that followed, my family did not talk about it and instead carried the pain in a very private and lonely way.

Sadly, this continued until I was contacted by Jerry and Elsie Weyrauch from the Suicide Prevention Action Network USA, a national advocacy organization focused on suicide prevention. Knowing that I had lost my dad to suicide, they asked if I would speak at their second annual suicide awareness event. I was also asked to sponsor a suicide resolution to focus much needed attention on the issue of suicide in America. On May 6, 1997, I introduced such a resolution and saw it pass the Senate that same day with unanimous support. I was heartened that my work on suicide prevention had begun on this auspicious note, but it was also clear that much more work remained to be done.

Today, 10 years later, I rise to address one of those challenges before us: the unacceptably high suicide rates among the elderly. While the public is increasingly aware of suicide as a leading cause of death in America, what is less well-known is the vulnerability of older adults. Suicide is disproportion-

ately a killer of seniors, with the risk climbing steadily with age. In fact, the suicide rate for men 85 years of age and older is the highest of all. Moreover, older adults who attempt suicide are much more likely than younger people to carry it out to completion.

As shocks to the national conscience, these statistics point us to the despair, hopelessness, and desperation that predispose so many seniors to suicide. They also lead to the question: Why are older Americans more vulnerable? Compared to other age groups, they often must deal with social isolation, financial hardship, and debilitating illnesses. We also know that far too many have mental health care needs that go unrecognized and unmet. Tragically, one-third of older adults who die from suicide had seen their primary care physician in the week before their deaths, and 70 percent during the prior month.

These findings do not just constitute a serious public health problem. They also conflict with America's belief in living our golden years in dignity. The "bankruptcy of hope and resources" affecting those at risk ultimately affect us all as a nation.

I am introducing the Stop Senior Suicide Act to take action on this issue. As a start, this legislation would create an Interagency Geriatric Mental Health Planning Council to improve the geriatric mental health and social services delivery system. Composed of representatives from the health Federal agencies and the community of older adults, the council will make recommendations and foster the integration of mental health, suicide prevention, health, and aging services. In doing so, the council will ensure that senior suicide and geriatric mental health receive the attention befitting a national priority.

As another step, my legislation would authorize a grant program for suicide prevention and early intervention programs focused on seniors. Many of the risk factors and challenges facing the elderly, after all, are unique. Through these grants, public and private nonprofit entities would be able to build innovative approaches and implement them in settings that serve seniors, such as Older Americans Act delivery sites. To help grantees achieve their goals, the bill also would authorize additional funding for the Suicide Prevention Technical Assistance Center to offer guidance and training.

Finally, the Stop Senior Suicide Act would eliminate a major barrier to receiving and affording mental health care. Clinical depression and suicidal feelings are not a normal part of aging, yet these treatable conditions are often misdiagnosed, untreated, or ignored in far too many seniors. Out-of-pocket expenses under Medicare, the health insurance program for 37 million Americans aged 65 years and older, is a key reason. Medicare currently imposes a 50 percent coinsurance payment for outpatient mental health services,