

the stories that they tell and study the broken system we have created for them and help them, for God's sake, help them.

I ask this of Republicans and Democrats alike, not in the name of bipartisanship but in the name of principle, which brings me back, Mr. Speaker, to those memorials and those statues.

The great Americans honored here in bronze and marble, the heroes of our history and the ghosts of these halls were not made great because of what they were but because of what they did. George Washington and Abraham Lincoln have almost nothing in common with Junipero Serra and Jack Swigert, except the choice they each made, to live, to fight and even to die in the service of freedom. We honor men with monuments not because of their greatness or even simply because of their service, but because of their refusal even in the face of danger or death to ever compromise the principles they served.

Washington's obelisk still stands watch because democracy will always need a sentry. Jefferson's words will still ring because liberty will always need a voice. And Lincoln's left hand still stays clenched because tyranny will always need an enemy. And we are still here, Mr. Speaker, as a House and as a Nation because the torch of freedom cannot carry itself.

Here on this floor, I have caught and thrown spears of every sort. Over the course of 22 years, I have probably worked with and against almost everyone in this Chamber at least once. I have scraped and clawed for every vote, every amendment for every word of every bill that I believed in my heart would protect human freedom and defend human dignity. I have done so at all times honorably and honestly, Mr. Speaker, with God as my witness and history as my judge. And if given the chance to do it all again, there is only one thing I would change. I would fight even harder.

This place has given me so many memories, so much life. For 22 years, I have served the best I knew how. In this House, I have found my life's calling and my soul's savior. Eight years ago, I witnessed evil in the murder of two Capitol Hill police officers, one just outside my office and another, a very dear friend on my protection detail, inside my office itself. And 5 years ago, I witnessed unparalleled courage as their surviving comrades stood at their posts inside this building during the frantic evacuation on 9/11. They are around us every day, the Capitol Police force.

I tell you, those police officers are Members' and staffs' own personal army of guardian angels. They are the bravest men and women serving under this dome, and I offer them now, one more time, my great respect and admiration because believe it or not, Mr. Speaker, this is a happy day for me, though admittedly perhaps not as happy as it is for some of our old

friends on the other side of the aisle. But nothing, not this retirement, not tough losses or old wounds, can detract from the joy that I feel and the blessings I offer to this House and its Members.

I say good-bye today, Mr. Speaker, with few regrets, no doubt. And so with love and gratitude for friends and foe alike, patriots all, I yield back the floor of our beloved House. And I exit as always, stage right.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5252, COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the vote on adoption of House Resolution 850, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 262, nays 151, not voting 19, as follows:

[Roll No. 237]

YEAS—262

Aderholt	Cole (OK)	Gutierrez
Akin	Conaway	Gutknecht
Alexander	Costa	Hall
Bachus	Cramer	Hart
Baker	Crenshaw	Hastings (WA)
Barrett (SC)	Crowley	Hayes
Barrow	Cubin	Hayworth
Bartlett (MD)	Cuellar	Hefley
Barton (TX)	Culberson	Hensarling
Bass	Davis (AL)	Herger
Beauprez	Davis (KY)	Higgins
Berkley	Davis (TN)	Hobson
Biggart	Davis, Jo Ann	Hoekstra
Bilirakis	Davis, Tom	Hostettler
Bishop (GA)	Deal (GA)	Hulshof
Bishop (UT)	DeLay	Hunter
Blackburn	Dent	Hyde
Blunt	Diaz-Balart, L.	Inglis (SC)
Boehlert	Diaz-Balart, M.	Issa
Boehner	Dicks	Istook
Bonilla	Doolittle	Jefferson
Bonner	Drake	Jenkins
Boozman	Dreier	Jindal
Boren	Duncan	Johnson (CT)
Boswell	Ehlers	Johnson (IL)
Boucher	Emerson	Johnson, E. B.
Boustany	English (PA)	Johnson, Sam
Boyd	Everett	Jones (NC)
Bradley (NH)	Feeney	Keller
Brady (TX)	Ferguson	Kelly
Brown (SC)	Fitzpatrick (PA)	Kennedy (MN)
Brown-Waite,	Flake	King (IA)
Ginny	Foley	King (NY)
Burgess	Forbes	Kline
Burton (IN)	Ford	Knollenberg
Butterfield	Fortenberry	Kolbe
Buyer	Fossella	Kuhl (NY)
Calvert	Fox	LaHood
Camp (MI)	Franks (AZ)	Latham
Campbell (CA)	Frelinghuysen	Leach
Cannon	Gallegly	Lewis (CA)
Cantor	Garrett (NJ)	Lewis (KY)
Capito	Gerlach	Linder
Cardoza	Gilchrist	LoBiondo
Carnahan	Gingrey	Lucas
Carter	Gohmert	Lungren, Daniel
Castle	Goode	E.
Chabot	Goodlatte	Mack
Chandler	Gordon	Marchant
Chocola	Granger	Marshall
Clay	Graves	McCaul (TX)
Clyburn	Green (WI)	McCotter
Coble	Green, Gene	McCrery

McHenry	Price (GA)	Smith (NJ)
McHugh	Putnam	Smith (TX)
McKeon	Radanovich	Sodrel
McMorris	Rahall	Souder
Meek (FL)	Ramstad	Spratt
Meeks (NY)	Regula	Stearns
Melancon	Rehberg	Sullivan
Mica	Reichert	Sweeney
Michaud	Renzi	Tancredo
Miller (FL)	Reynolds	Tanner
Miller (MI)	Rogers (AL)	Taylor (NC)
Miller, Gary	Rogers (KY)	Terry
Moore (KS)	Rogers (MI)	Thomas
Moran (KS)	Rohrabacher	Thornberry
Murphy	Ros-Lehtinen	Tiahrt
Musgrave	Ross	Tiberi
Myrick	Royce	Turner
Neugebauer	Ruppersberger	Udall (NM)
Ney	Rush	Upton
Northup	Ryan (WI)	Walden (OR)
Norwood	Ryun (KS)	Walsh
Nunes	Saxton	Wamp
Osborne	Schmidt	Weldon (FL)
Otter	Schwarz (MI)	Weldon (PA)
Oxley	Scott (GA)	Weller
Pastor	Sensenbrenner	Westmoreland
Pearce	Sessions	Wexler
Pence	Shadegg	Whitfield
Petri	Shaw	Wicker
Pickering	Shays	Wilson (NM)
Pitts	Sherwood	Wilson (SC)
Platts	Shimkus	Wolf
Poe	Shuster	Wynn
Pombo	Simmons	Young (AK)
Porter	Simpson	Young (FL)

NAYS—151

Abercrombie	Holt	Olver
Ackerman	Honda	Ortiz
Allen	Hooley	Owens
Andrews	Hoyer	Pallone
Baca	Inslee	Pascarell
Baird	Israel	Payne
Baldwin	Jackson (IL)	Pelosi
Bean	Jackson-Lee	Peterson (MN)
Becerra	(TX)	Pomeroy
Berman	Jones (OH)	Price (NC)
Berry	Kanjorski	Rangel
Bishop (NY)	Kaptur	Rothman
Blumenauer	Kennedy (RI)	Royal-Allard
Brady (PA)	Kildee	Ryan (OH)
Brown (OH)	Kilpatrick (MI)	Sabo
Brown, Corrine	Kind	Salazar
Capps	Kucinich	Sanchez, Linda
Capuano	Langevin	T.
Cardin	Lantos	Sanchez, Loretta
Carson	Larsen (WA)	Sanders
Case	Larson (CT)	Schakowsky
Cleaver	Lee	Schiff
Conyers	Levin	Schwartz (PA)
Cooper	Lewis (GA)	Scott (VA)
Costello	Lipinski	Serrano
Cummings	Lofgren, Zoe	Sherman
Diaz (CA)	Lowe	Skelton
Davis (IL)	Lynch	Slaughter
DeFazio	Maloney	Smith (WA)
DeGette	Markey	Snyder
Delahunt	Matheson	Solis
DeLauro	Matsui	Stark
Dingell	McCarthy	Stupak
Doggett	McColum (MN)	Tauscher
Doyle	McDermott	Taylor (MS)
Emanuel	McGovern	Thompson (CA)
Engel	McIntyre	Thompson (MS)
Eshoo	McKinney	Towns
Etheridge	McNulty	Van Hollen
Farr	Meehan	Velazquez
Fattah	Millender-	Visclosky
Filner	McDonald	Wasserman
Frank (MA)	Miller (NC)	Schultz
Gonzalez	Miller, George	Waters
Green, Al	Mollohan	Watson
Grijalva	Moran (VA)	Watt
Harman	Murtha	Waxman
Hastings (FL)	Nadler	Weiner
Herseth	Napolitano	Woolsey
Hinchee	Neal (MA)	Wu
Hinojosa	Oberstar	
Holden	Obey	

NOT VOTING—19

Bono	Kingston	Peterson (PA)
Davis (FL)	Kirk	Pryce (OH)
Edwards	LaTourette	Reyes
Evans	Manzullo	Strickland
Gibbons	Moore (WI)	Udall (CO)
Gillmor	Nussle	
Harris	Paul	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1756

Mr. CLEAVER and Mr. BROWN of Ohio changed their vote from "yea" to "nay."

Messrs. MARSHALL, RAHALL, CLAY and FORD changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. PRYCE of Ohio. Mr. Speaker, on the legislative day of Thursday, June 8, 2006, the house had a vote on rollcall 237, on H Res. 850, providing for consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 5252 and to insert extraneous material on the bill.

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

There was no objection.

COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 850 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5252.

□ 1758

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services, with Mr. PRICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. BARTON) and the gentleman from Michigan (Mr. DINGELL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I enthusiastically bring the general debate for H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006, to the floor of the House of Representatives. The process in getting the bill to

this stage has been long, has been fruitful, and, in my opinion, it has been fair. It has involved more than a year of hearings, as well as staff and Member-level negotiations. That process has clearly borne, I think, positive fruit.

We come to the House today with a bill that has received overwhelming bipartisan support in both the subcommittee and the full committee. The bill passed the subcommittee by a margin of 27-4, with all Republicans voting for it and two-thirds of the Democrat minority party voting for it. In the full committee it was reported by a margin of 42-12, again all Republicans voting for it and a majority of the Democrats voting for it.

The primary focus of this legislation is to create a streamlined cable franchising process in order to increase the number of facilities-based providers for video, voice, and data services everywhere in our great Nation.

Today, there are thousands of local franchising authorities. Each may impose disparate restriction on the provision of cable service in its specific franchising area. The requirement to negotiate such local franchises and the patchwork of obligations that local franchising authorities impose are hindering the deployment of advanced broadband networks that will bring increasingly innovative and competitive services to all of our constituents.

The United States does not even rank in the top 10 of the nations of the world in broadband deployment. This bill should change that statistic.

H.R. 5252 seeks to address this concern and strike the right balance between national standards and local oversight. It would allow the negotiation of local franchises, but make available an alternative national franchise process.

□ 1800

Moreover, the national franchise preserves local franchise fees, municipal control over their rights-of-way, and support for their Public Education and Governmental channels that so many of our Members are strongly in favor of.

The bill also seeks to strike the right balance between ensuring the public Internet remains an open, vibrant marketplace, and ensuring Congress does not hand the FCC a blank check to regulate Internet services, an action that I believe would have a chilling effect on broadband deployment, especially broadband innovation. We need the FCC to stop the cheats without killing honest creativity. We don't need anybody to be the first Secretary of the Internet.

Finally, the bill addresses rules for voiceover Internet protocol services, or VoIP services, to ensure that the Internet voice services become a vibrant competitor to what we call plain old telephone service.

I want to thank Congressman RUSH for his cosponsorship, Subcommittee

Chairman Mr. UPTON for his cosponsorship, Vice Chairman CHIP PICKERING of Mississippi for his leadership, and all the members of the committee and the subcommittee on both sides of the aisle who have cosponsored this bipartisan legislation with me.

I would urge my colleagues to support this bill and look forward to a vigorous debate on the amendments that have been made in order by the Rules Committee.

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

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

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

Mr. DINGELL. Mr. Chairman, I rise in opposition to this measure. It is a bad bill. It does nothing except take care of the special and the vested interests. The baby bells, the telephone companies, and the cable operators are going to cut a fat hog. The consumers are able to anticipate only a few things: One, they are going to get worse service, probably less competition, and almost certainly increases in rates.

Consumers are going to see their cities lose control over their streets and roads to, of all things, the Federal Communications Commission, one of the sorriest of the Federal agencies, and an agency which has neither the staff time nor willingness to address the important questions that are going to be conferred on it by this legislation.

In addition to that, the FCC is going to be clogged. There is going to be deadlock and absolute chaos in that agency because of the total lack of that agency in addressing the serious questions regarding administration of highways, streets, roads, and use of public facilities belonging to cities, counties, and States.

It would be a wonderful argument, which is made by the proponents of this bill, that it will lower cable bills and bring consumers choice. What a wonderful argument, if only it were true. This bill is going to harm our consumers, harm our citizens, and harm commercial users of the Internet.

First, with regard to consumers. The bill will leave many consumers paying higher prices for cable services. There is no general promise of lower prices. In fact, the telephone companies, and listen to this, have been telling Wall Street that the price they get for their services will be higher than cable. That is the competition we are going to see under this legislation.

Worse, the bill is a blow to the universal service principles which Congress has insisted on since 1927. The bill abandons current law that in exchange for the use of public property cable operators are required to serve all consumers, all consumers in the franchise area. Both new and existing cable providers will, under this bill, be allowed to cherrypick and skim cream,