Mr. Speaker, my goal in Congress is to make sure that the Federal Government is a constructive partner in promoting livable communities. Today, increasingly, an important part of promoting livable communities deals with the Internet connection that our cities and counties have with the rest of the world.

The Federal Government has played a very constructive role in assisting schools and libraries with the E-Rate. It has provided an important resource for over 32,000 communities over the last 3 years and potentially up to $4 billion in these first 2 years.

Just as important as the leadership for schools and libraries with the E-Rate, Congress and the FCC now has the opportunity to ensure that communities have access to the Internet service providers of their choice with cable broadband networks.

This leadership is going to be increasingly important in the future as cable systems are concentrated around the country. Only L.A. and New York are expected to have more than one cable system provider in the next year.

An important chapter of this discussion is being played out in my community where the city of Portland and Multnomah County became the first local jurisdictions in the country to require competition on this high-speed Internet connection. As part of an approval for AT&T's purchase of the local TCI cable, the city and the county required that they allow nonaffiliated ISPs access to their broadband network.

They argue that this step was necessary in order to preserve consumer choice. Without open access, consumers who wish to use high-speed cable modems for their iternet access, and who did not want to use the AT&T Excite at-home service, they would have to pay double, in effect paying twice.

AT&T sued our local governments, arguing that they had no right to break AT&T's monopoly over this access. The Federal court has ruled that the city was entirely within its power and could promote competition. Now AT&T is appealing that decision.

Now, most people feel that the local jurisdiction is expected to prevail. But it appears that the FCC, based on recent comments from Chairman Kennard and an article recently in the Wall

Street Journal, that the FCC is not yet ready to argue against AT&T's proposed monopoly.

As a result, I am exceedingly concerned that consumers across the country may be in the bizarre situation where they have competition on the horse and buggy aspect, the two wires that come in over the telephone; but that they will have only one choice when it comes to the 90 percent that is the communication of the future the broadband. The whole point behind the judge's ruling was that we ought to have this competition.

Some are arguing that we need a uniform system to prevent 30,000 jurisdictions from around the country to have the possibility of each having their separate technical specifications. If that is indeed a problem, then let us deal with that problem specifically by providing technical standards through the FCC.

Solving the problem of technical standards by granting only one company monopoly status sounds a lot like using communism in order to assure that there would be uniform gauges for the train tracks. We can do better.

I urge that the FCC and Congress keep an open mind on the question of the impact of this local decision on the development of broadband communication infrastructure. Let us work to solve the real problems with the goal of ensuring consumer choices.

We do not have to limit the access simply to the 10 percent where there is the technology of the past on the telephone wires; and we certainly do not need to use a Communist approach in order to make sure that we have full access for technical standards.

I hope that we will be able to support local governments in this important aspect of promoting livable communities.