United States provides that this Congress, this Federal Government, has the authority to regulate interstate commerce—for the purpose of avoiding a State law to help a minor child get an abortion without the knowledge of their loving parents, who are raising the child and will have to raise them in the future, they are guilty a Federal offense.

I think that is perfectly sound constitutionally and something we should do. It is past time we do it. I would urge my colleagues to consider this. If there is one circumstance in which we should be most concerned about abortion, it is that of the young lady I described who testified at our hearing. Crystal Lane was impregnated and having sex with an older man when she was 12 years of age, and had an abortion at 13 years of age, and her parent did not know about it. How did it happen? The young man's mother and young man got together and secreted her across State lines to have an abortion, so he would not be found out, so he would not be prosecuted for statutory rape. This was not done out of any interest in the child's welfare.

That is a very real problem that should not continue. We have the ability to do something about it. I urge my colleagues to study this act and to make sure we stop those who would usurp State law, usurp parental rights, and damage children without the knowledge of their parents.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

(The remarks of Mr. WYDEN are printed in today's RECORD under ''Morning Business.'')

Mr. WYDEN. I yield the floor.

Mr. CHAMBLISS. Mr. President, I support S. 403, the Child Custody Protection Act. This bill is a commonsense measure that says simply that families, parents, and children are important in America and that we will respect them and protect them. The bill also demonstrates the importance of respecting our citizens who have spoken in State after State by the adoption of parental notification and parental consent requirements before a minor child can be subjected to invasive medical procedures with both physical and emotional consequences.

The Child Custody Protection Act would make it a Federal misdemeanor to transport a minor across State lines to obtain an abortion, in order to circumvent a home State law requiring notification of one or both parents prior to an abortion.

This bill does not permit the prosecution of the child or his parents, but it does permit the prosecution of outside third parties who would interfere with the parent-child relationship in order to further a political or ideological agenda.

In addition to criminal penalties, the bill allows any parent who suffers harm from a violation of this act may seek and obtain an appropriate civil remedy.

At a time when children in public schools cannot obtain so much as an aspirin from a school nurse without parental consent, America has overwhelmingly insisted that before permitting minors to undergo a major medical procedure, such as an abortion, their parents should consent or at the very least, be notified. Thirty-four States have enacted parental consent or notification laws. Parental notification is supported by 83 percent of the American people.

Yet, too often, outside third parties have intentionally sought to circumvent these profamily State laws and invade the parent-child relationship by transporting children across State lines for the purpose of having an abortion.

This bill will serve as a real deterrent to such efforts. It reaffirms the parent-child relationship which is so important to the overwhelming majority of Americans. I urge my colleagues to join me in support of this bill.

I yield back.

## MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

## INTERNET NEUTRALITY

Mr. WYDEN. Mr. President, I have already announced that I will do everything I can to block Senate consideration of the major overhaul of the telecommunications laws until it contains language to ensure there cannot be discrimination on the Internet.

Last week, I outlined a number of examples of the kind of discrimination that could take place unless there is language known as Net neutrality in the legislation. I am going to give additional examples this morning of what will happen if discrimination is allowed on the Net. I also intend to start laying out answers to some of the most frequently asked questions about Net neutrality.

The major phone and cable companies that are now spending enormous sums trying to prevent Net neutrality so outspend the folks who share my views that I think it is important for the Senate to get a sense of what is going on. That is why it is my intent to come to the floor of the Senate again and again and again to outline what is at stake with respect to ensuring that the Internet is kept free of discrimination.

Let me begin by first addressing this question of what exactly is Net neutrality. If you listen to some of the so-called experts about communications, they would suggest this is so complicated, so arcane, so difficult for anybody to understand, you ought to let the lawyers and the lobbyists sort this out. Of course, that is traditionally what has gone on in this field. You have lawyers and lobbyists being paid very handsomely to battle it out with each other, usually in Washington, DC, or in courtrooms across the country.

Somehow, the typical person, the typical citizen, who has become empowered using the Internet, does not get to participate in these discussions. I will tell you, Mr. President, I do not think the American people are going to buy that any longer. The Internet, which, of course, has opened up so many doors for our citizens in terms of health care and business opportunities, education, and culture, has also ensured they get a lot of information about these communications debates that used to be reserved for lawyers and lobbyists.

The people of this country—and the hundreds and hundreds of organizations that want to keep the Internet discrimination free—are no longer going to accept a notion that a handful of insiders in Washington, DC, can have these debates about the future of the communications systems they depend on, and that the people of this country will have to take what these so-called experts decide. So this is going to be a debate, in my view, that is going to be driven by the grassroots of this country, by thousands of people getting involved and coming to their legislators, and others, to talk about the future of telecommunications—why so much communication power is concentrated in so few hands.

I am going to try to advance this debate here on the floor of the Senate every so often so we can make sure somebody is getting the message out about what is at stake, other than those big cable and phone companies that seem to be spending almost $150 for every $1 spent by folks who share my views.

The first question I want to talk about this morning is what exactly is Net neutrality? It is not that complicated. It is a pretty straightforward proposition. What Net neutrality means is you cannot discriminate on the Internet. The people who are against Net neutrality—I call them ''the discriminators'' because that is their agenda—want to discriminate. They want to be in a position to play favorites. They want to say: We will give certain people a good deal, both in terms of service and all the considerations that go into folks making their choices on line.

I do not think we should have that kind of discrimination. I think it ought to be, as it is today, possible for our citizens to go with their browser where they want to go, when they want to go, and everybody would be treated equally. That is the way it works today. I do not think there ought to be any changes.

Today, somebody pays a fee to get on the Net. They go where they want,

when they want. And if you want to buy something online from Harry & David—their wonderful fruit, which we know a lot about in the State of Oregon—you pay your Internet provider for the connection, Harry & David pays its Internet provider for its connection, and that is that. Once you pay your Internet access fee, no one stops you from shopping at Harry & David because you did not pay an extra fee.

Without a clear policy preserving Net neutrality and ensuring there is no discrimination on the Net, the Net would be forever changed. And, in my view, it would be forever changed if discrimination is allowed on the Internet.

So that is why I have indicated I am going to use every procedural tool I have as a Senator to block Senate consideration of the telecommunications overhaul until it ensures there is Net neutrality and no discrimination online.

Now, a second question I am often asked is people want to know, as a consumer: How will Net neutrality affect me? For starters, keeping things the way they are, keeping Net neutrality, is not going to change anything about the Net for millions and millions of our consumers who rely on it. Net neutrality has been the way we have enjoyed the Net since day one. And it is only in the last year that there has been this new front opened up where folks say: We have to be allowed to discriminate. It has only been in the last year where the basic nondiscriminatory nature of the Internet has been under attack.

So it is not going to change the world for the consumer if Net neutrality is preserved. But I will tell you, it is surely a troubling question for consumers if we do not have Net neutrality. Consumers, in my view, without Net neutrality, would immediately feel the effects. They would have fewer choices, and they would pay higher prices. And I am going to try, again, to use some examples this morning of why that is the case.

Currently, consumers pay a fee for connecting to the Internet. The fee is for a certain amount of bandwidth. The more bandwidth you buy, the faster the speed with which you connect to the Internet. So with a dial-up connection at 56 kilobits per second of bandwidth, it is going to take a lot longer to get your favorite Web sites than with a high-speed connection at 6 megabits per second. That is why some folks call broadband high speed. A broader bandwidth can accommodate more bits, and they can move faster down the pipes. A growing number of our citizens want the higher speed or broadband connection to the Net.

If the large phone and cable lobbies are able to stop Net neutrality, consumers would no longer have access to all the content available on the bandwidth they buy. Rather, those that provide content on the Net—and that is everybody with a Web site, from small nonprofits and universities to large corporations—would be forced to pay the big phone and cable companies an extra fee for access to the consumer's bandwidth. If they did not pay or could not afford to pay these extra fees, their content would be waylaid, it would be off on the Internet slow lane.

This would mean consumers would have fewer Web site choices. Some small businesses that depend on the Net for sales, in my view, will end up closing down. Many of the bloggers—and we know that now blogging is awfully popular; these are folks who write just to be heard—they are going to find it hard to continue without Net neutrality if they have to pay those extra fees. Nonprofits—I am not sure we will see all their Web sites. At the end of the day, without Net neutrality, consumers will be left with fewer choices.

That is not all that consumers will be left with. Because the loss of Net neutrality is double-barreled discrimination, consumers would also be left with higher prices. Those companies that choose to pay fees to the larger phone and cable companies are going to pass those fees on to the consumer. The price of goods sold online is going to rise because companies will pass on the fees to consumers. And because no one can determine now how high the fees are going to go, no one can predict how high the price of goods sold online would go either.

So that is a little bit of what all this means to the typical consumer. It does mean, in my view, higher prices and fewer choices for the reasons I outlined. But I thought I would continue what I started last week; that is, bringing some specific examples I think we will see on the Internet if there is an absence of Net neutrality.

The first example I am going to cite this morning is somebody I am going to call Josh Nelson. Josh Nelson wants to get Internet broadband for himself and his family at home. ''Local Cable'' is the only choice for Internet access, and we will say it charges $49.99 for a 6 megabit per second connection.

In a world with Net neutrality, when Josh buys his connection from ''Local Cable,'' he gets to visit any Web site he wants, when he wants, and how he wants. If he wants, for example, to download movies from the popular Vongo for $10 a month, he can do that. If he wants to search the Web using Yahoo or book a family vacation online at Travelocity, Josh can do that, too.

Under the bill that has come from the Senate Commerce Committee—the bill that does not protect Net neutrality—Josh will not be able to do any of those kinds of things I have described unless content providers pay a new priority access fee on top of the $49.99 Internet access charge Josh already pays, and the fees the content providers pay to get on the Net.

Unless Travelocity pays the additional priority fee, booking that vacation at Travelocity could take 20 minutes to process because they are not paying the extra fee to ''Local Cable'' for priority access. Downloading movies at Vongo could cost more as well, could cost $20 rather than $10 because Vongo is passing on the costs of paying ''Local Cable'' the priority access fee.

Josh at this point—and this is as sure as night follows day in terms of what is ahead—is going to want to switch to another broadband provider, given all these extra costs he would have to eat. But he is stuck. There are no other choices for many people across the land.

The second example I want to outline involves somebody I am calling Mary Smith. Mary goes on line now through a broadband connection with a local Bell company to purchase a television from her local electronics store, Barnes Electronics. In a world with net neutrality, when Mary goes to Barnes Electronics web site, the site works properly and she can purchase the new television with ease. Under the legislation that came from the Senate Commerce Committee, it is going to be a different world for Mary. When she types in the web address for Barnes Electronics, the site may not immediately load. Instead a page could load asking her if she would prefer to shop at Big Box Electronics web site which paid the local Bell to interrupt Mary's browsing. After clicking no, she is directed to Barnes Electronics web site. However, the site takes a long time to load and she becomes so frustrated, she says: Well, I will just go shopping at Big Box and eat all those higher prices.

In each of these examples, those who own the pipes extend their reach to the detriment of the American people. According to the business plans—and these have not exactly been hidden—of the big phone and cable companies and what they tell Wall Street, the kind of world I describe is what we are heading for. Without net neutrality, neither of the people in the examples I just outlined would enjoy the Internet the way they enjoy it today.

One last question for purposes of this morning. I am often asked now: If we have net neutrality, does that mean we are not going to have sophisticated communications networks built in my neighborhood? Of course, we all want these sophisticated communications systems. Folks want them in Georgia, in Oregon, across the land. We all understand the value of constantly trying to upgrade our communications systems. Nobody wants policies that create disincentives to building new and improved communications networks. For years cable companies have been digging up the streets in neighborhoods across the land to build more sophisticated networks, even though net neutrality protections were in place. For all these years, when we have said we were not going to allow discrimination on the Internet, we have had the cable companies out there digging up the streets putting in these systems. So it is not as if we don't have some evidence of what you can do when the Internet is free of discrimination.

We have seen these sophisticated networks built by cable companies right now. They are doing it when there is an absence of discrimination on the net. The reason I cited this is, it proves that if consumers demand it, the communications companies are going to build it because they can make a profit. The Bells, for example, would rather build a network with discrimination in it because they can make billions of dollars of extra profit. That is why they are threatening not to build networks and to try to hold hostage consumers and businesses across America. I don't think that is right. There is concrete evidence that this notion that we will not have sophisticated communications networks unless we allow discrimination on the net makes no sense at all.

I have tried to make a focus of my career in public service to keeping the Internet free from discrimination. It has paid real dividends already, particularly in regard to taxation. I was a Senate sponsor of the legislation that prohibited discrimination in taxes on line. When we started, it was a very simple proposition. We would see, for example, that if you bought a newspaper on line, you paid taxes. But if you bought the snail mail version of that newspaper, you didn't pay any taxes. So Congress came together on a bipartisan basis and said: We are not going to allow discrimination and taxation with respect to the Internet. We have done it. It has made sense.

For all those who claimed there were going to be dire consequences, that the States and localities wouldn't have any money, that it was going to kill the traditional retailer, the main street retailer, we haven't seen any of that. The Internet Nondiscrimination Act as it relates to taxation has made a huge difference. I worked with Senator ALLEN on the other side of the aisle on that. Our mutual friend, former Congressman Chris Cox, who now heads the Securities and Exchange Commission, he and I began this effort when he was serving in the other body. We have seen already, with respect to ensuring that the net is free from multiple and discriminatory taxes, why it makes sense to keep the Internet a discrimination free zone.

For the life of me, I can't figure out why we want to bring discrimination back to the telecommunications world, which is what this telecommunications overhaul will do, unless net neutrality is protected. The major cable and phone companies have spent more than $40 million since January of this year to make the American people think that net neutrality is what they call a lose-lose proposition. I am here to say that the absence of net neutrality will be the lose-lose proposition. The American people will see discrimination in Internet content, higher prices for consumers, and that is why hundreds of organizations that span the political spectrum, who disagree with each other on virtually everything, have come together to say: We are going to pull out all the stops to try to protect the Internet from discrimination.

I do not want to see the American consumer face the double barrel discrimination on the net of reduced choices in content, diminished services, and the additional prospect of higher prices. As a result, it is my intent to keep my hold on this major telecommunications rewrite until it ensures true net neutrality and an Internet free of discrimination.

## AMERICA'S OPPORTUNITY SCHOLARSHIPS FOR KIDS ACT

Mr. ALEXANDER. Mr. President, earlier this week, I introduced the America's Opportunity Scholarships for Kids Act, S. 3682, on behalf of President Bush. I was joined in introducing this legislation by Senators ENSIGN, GREGG, and SANTORUM. This bill provides meaning to the promise of the No Child Left Behind Act by giving low-income families whose children are stuck in low-performing schools the same opportunities other families already enjoy.

President Bush proposed the America's Opportunity Scholarships Program as part of his fiscal year 2007 budget. The bill authorizes $100 million in competitive grants to State and local educational agencies or private nonprofit groups to provide low-income students in low-performing schools with scholarships to attend the school of their choice or receive tutoring. Thousands of eligible students would receive up to $4,000 in scholarship funds to apply to tuition and costs at the school of their choice or up to $3,000 worth of intensive tutoring to help them improve their academic achievement.

Eligible low-income students are those who attend schools in ''restructuring,'' which means they have missed their student achievement goals under No Child Left Behind for 6 years in a row. The U.S. Department of Education reports that in the 2004–2005 school year, 1,065 schools were identified for restructuring. Preliminary estimates suggest that an additional 1,000 schools will be identified for restructuring in the 2005–2006 school year.

Parents want the best possible schools for their children. A recent survey by the Educational Testing Service showed that 62 percent of public school parents either transferred a child out of one school into a better school or have decided where to live based on the schools in that district. This bill offers a way out for students whose families don't have the money for tuition or the luxury of moving.

For those who think school choice is not important, I ask you to consider what you would do if the government or circumstances said you had no choice in the matter. Imagine what would happen if we passed a law that said that no American parent could choose a school for their child, and instead the government assigned each child to a specific public or private school. There would be a revolution in this country by middle- and upper-income parents who want to preserve their right to choose what is best for their child's education.

Low-income parents are increasingly voicing a demand for the same quality educational options that wealthier families have. In Milwaukee, WI, low-income families' demand for better choices led to the creation of a citywide private school choice program in 1990. Today, Milwaukee is one of the most vibrant education marketplaces in the Nation, and parents can choose from traditional public schools, charter schools, and private schools. Here in Washington, DC, frustrated low-income parents led an active campaign to establish the DC School Choice Incentive Program, which increases educational options for low-income students, including scholarships to attend private schools. Over 2,600 applications were received for 1,200 available scholarships in 2004, the first year of that program. This school year, 1,713 students are enrolled at the private school of their choice. Their parents report significant improvements in their children's academic performance, behavior, and prospects for the future.

Our Nation gives families choices in educational institutions nearly everywhere but in grade school and high school. After World War II, the GI bill enabled veterans to attend the educational institutions of their choice—public or private, secular or nonsecular. Today, Federal dollars for higher education still follow students to the school of their choice. It is this choice—along with autonomy and competition—that has made our system of higher education the best in the world. We also allow Federal funding to follow preschoolers to the childcare program of their choice.

Unfortunately, we have gotten in a rut with K–12 schools. We have created local monopolies where dollars flow directly to schools with little or no say from parents. The ones paying the highest price are the poor children of America.

America's opportunity scholarships are a way out for families who have waited too long. I hope my colleagues will support this important legislation so we can help our neediest children achieve a brighter future.

## GUN SAFETY EDUCATION

Mr. President, high profile school shootings across this country in recent years have focused the Nation's attention on easy access to guns by children, especially in the home. Each day in the United States, an average of 80 people die as a result of homicide, suicide, and unintentional injuries that involve a firearm. Even more tragically ten of those who die everyday are children. The epidemic of firearm violence affects us all.