

Committee on Energy and Commerce

Opening Statement

of

Subcommittee on Communications and Technology Ranking Member Mike Doyle

Hearing on “*RAY BAUM’S Act: A Bipartisan Foundation for Bridging the Digital Divide*”

Thank you to the witnesses for coming before us today, and thank you to Chairman, soon to be Senator, Blackburn for holding this hearing. Congratulations.

The Ray Baum’s Act was the result of bipartisan, bicameral negotiations and good faith efforts by both sides. I’m glad that many Democratic priorities were included in this legislation, including Ranking Member Pallone’s Viewer Protection Act and Sandy Act, as well as bills led by Reps McNerney, Loebsack, Eshoo, Engel, Ruiz, Lujan, and Matsui.

However, much work remains to be done to ensure that this legislation is carried out as Congress intended.

For instance, while I’m glad that we were able to come together and ensure that broadcasters would have the resources they need to complete the Incentive Auction Repack, I’m disappointed that the FCC still has not started up the consumer education program that was authorized and funded by this legislation.

As Mr. Zachary points out, consumers are in desperate need of education about how the repack impacts them. While I understand that broadcasters have an incentive to inform their viewers, Mr. Zachary’s testimony shows that consumers often must be guided through the process of rescanning their local stations. These are problems viewers are facing now, the FCC needs to get it into gear.

Ray Baum’s Act also consolidated a number of reports at the FCC into the Consolidated Communications Marketplace Report, and the Commission is planning to vote on this report at their open meeting tomorrow.

The draft report says that nearly one hundred percent of our country is served by one or more LTE wireless providers, which is a joke. Madam Chairman, I’d like to add this draft report to the record, so that our colleagues can see what the FCC thinks about wireless coverage in their districts.

With data like this, it’s no surprise the Commission put its Mobility Fund Two auction on hold. The Commission needs better data in order to proceed with this auction. They can’t put the onus on rural bidders to verify or dispute another carrier’s claims of coverage in any given area.

January 9, 2017

Page 2

So, while I am pleased the FCC has delayed this auction, I am sorely disappointed they took so long to do it. This auction will fund wireless rural broadband deployment for the next 10 years. We need to get it right.

Another aspect of the Ray Baum's Act that I think requires more oversight is the C-Band report that the FCC and NTIA are required to submit to Congress by September of 2019. This report will examine the feasibility of allowing licensed, unlicensed, and shared use of this band. Currently, cable operators, broadcasters, and public radio use this band to distribute programming using satellite downlinks. The satellite providers have proposed a private market transaction that would sell off two hundred megahertz of spectrum to wireless companies and consolidate satellite operations into the upper three hundred megahertz of the band.

Finding creative solutions to meet our spectrum needs is crucial, and I think there is merit to this plan. However, I am very concerned about the specifics, or lack thereof, as they have been proposed so far. This band is among those that has been identified as key to deploying 5-G service. Allowing a small group of foreign companies to hand-pick which wireless carriers get access to this critical spectrum raises incredible questions about competition, rural deployment, transparency, and the public interest. Our nation cannot afford to have the FCC sit on the sidelines while our nation's 5-G future is being decided.

Finally, my community in Pittsburgh was impacted by a terrible tragedy at the Tree of Life Synagogue in Squirrel Hill. It was the deadliest attack on the Jewish community in US history. Our community is deeply grateful for the efforts of the first responders who stopped the attack, including the 911 call center operators who received calls from the people inside. They helped dispatch the first units that responded to the scene. The Ray Baum's Act authorized important changes to the way 911 systems work in hotels and large buildings, and Representative Eshoo and Shimkus's leadership on this issue has been critical. We need to do more, particularly as we look at next generation systems and the funding challenges we face in deploying this technology nationwide.

Thank you again madam chair for convening this hearing, and I look forward to the testimony of our witnesses."

###