

**Opening Statement of the Honorable Greg Walden  
Committee on Energy and Commerce  
Markup of H.R. 3522, H.R. 4701, H.R. 4067, H.R. \_\_\_\_, H.R. 3670,  
H.R. 5161, H.R. 1575  
July 29-30, 2014**

Today we are marking up three important bipartisan communications and technology bills. All of these bills aim to better the lives of Americans through the honest and effective use of modern technology.

The most meaningful of these efforts that we will consider today is the Kelsey Smith Act, a bill that creates a tool for law enforcement in times of emergency where a person may be in grave danger. Many of us carry a cell phone with us at all times; this bill allows that device to become a lifesaver when someone needs help most. Under this legislation, carriers are required to provide location data to law enforcement in situations where an officer has probable cause to believe that someone is at risk of serious injury or death. Current law permits carriers to release that information upon request, but strangely requires wireless carrier lawyers pass judgment on and agree with the good faith belief of the law enforcement officers in the field before they can provide the information. The provisions of the Kelsey Smith Act take that decision out of the hands of carriers and leave the law enforcement officers that are best suited to understand the facts at hand to determine when emergency circumstances warrant expedience.

As a Washington Post editorial pointed out, this law saves lives using existing technology, and doesn't cost taxpayers a dime. Versions of this legislation have been passed in fourteen states, and it's time for it to move at the federal level. This is an example of how the technology that we use so often for the day-to-day of our lives—reading e-mail, checking social media,

getting the score of the game—can be put to a truly important use: preventing tragedies and helping law enforcement save lives.

I'd like to thank my colleague, the gentleman from Kansas, Mr. Yoder, for his tireless work to move this bill and make the Kelsey Smith Act a reality. I also thank the minority for their willingness to work with us to produce the amendment in the nature of a substitute that we will consider today. The amendment represents yet another example of the bipartisan cooperation that is indicative of the hard work of the Energy and Commerce Committee and our staffs.

Next, the Anti-Spoofing Act of 2013 extends the important protections of the Truth in Caller ID Act of 2009 from voice calls to include text messages and certain voice over Internet protocol services. As we discussed in last week's legislative hearing, there have been too many instances where bad actors have used technology to mask their identity when contacting unsuspecting recipients. Recipients are tricked into revealing sensitive and personal information to someone they thought was a trusted contact. Congressman Barton and Congresswoman Meng have worked together to produce a bipartisan solution that helps to protect American consumers from fraud on these important communications media and I'm happy to support this legislation.

Finally, the E-LABEL Act, sponsored by Subcommittee on Communications and Technology Vice Chairman Bob Latta and other members of the subcommittee allows modernizes the FCC's equipment labeling rules for the 21<sup>st</sup> century. Specifically, it permits equipment manufacturers to take advantage of the technology available in the devices they create and display the FCC certification information on the screens of

the device, rather than etching it into the device itself. Providing the information through software on the device allows for more extensive, up-to-date information, and even cost savings for manufacturers. The FCC's old rules are outdated and don't have the flexibility that both manufacturers and consumers desire. We have spent a great deal of time on our efforts to modernize and streamline the agency and the regulations by which it governs this incredibly dynamic and innovative sector, and this is a small but significant step towards that goal. This bipartisan, bicameral legislation is commonsense reform that we can all support.

It is my hope that my colleagues will join me in supporting and voting for these three pieces of collaborative, bipartisan legislation.