

The Honorable Andy Biggs

Energy and Commerce Member Day Testimony

Subcommittee on Communications & Technology

July 25, 2019

2123 Rayburn House Office Building

Chairman Pallone, Ranking Member Walden, Subcommittee Chairman Doyle, and Ranking Member Latta, thank you for the opportunity to testify at today's House Energy and Commerce Committee Member Day.

Today, I want to highlight the importance of opening up the 5.9 gigahertz band to the free market.

And I appreciate Federal Communications Commission (FCC) Chairman Pai's commitment to finding solutions to make this happen.

The FCC's efforts to increase the availability of unlicensed spectrum will bring positive benefits to consumers, innovators, and the economy.

In fact, a recent economic study by RAND Corporation found that the 5.9 gigahertz band's annual potential contribution to the United States' growth domestic product ranges from \$59.8 billion to \$105.8 billion, and opening the band for unlicensed spectrum like, WiFi, could provide gains of \$82.2 billion to \$189.9 billion.

The FCC originally reserved the band specifically for Dedicated Short-Range Communications (DSRC) in hopes that exclusive spectrum access would spur innovation in auto safety technologies; however, the DSRC has proven to be a market failure. In the twenty years since the DSRC allocation, only one car on the road today uses this technology.

Maintaining free and exclusive spectrum access for particular auto technologies is a tremendous subsidy that puts a thumb on the scale for certain companies, while depriving American consumers and businesses of much needed unlicensed spectrum to support Gigabit WiFi, 5G, and hundreds of billions of dollars in economic growth.

I commend the FCC for responding to the shifting auto technology trends by expanding vehicular radar spectrum from 76-77 gigahertz up to 81 gigahertz to promote continued innovation in new and existing commercial and safety vehicle technologies. I hope the FCC will take a similar approach to meet the accelerating demand for unlicensed spectrum such as WiFi by expanding unlicensed spectrum operations into the 5.9 gigahertz band.

It's time to correct a flawed FCC decision from an era long past, and make sure to not repeat the same mistake of betting on particular technologies in an era of constant innovation.