

**Opening Statement of the Honorable Greg Walden
Subcommittee on Communications and Technology
Hearing on “#CommActUpdate: Perspectives from Former FCC Chairmen”
January 15, 2014**

(As Prepared for Delivery)

Few sectors of our economy are equal to the communications and technology sector when it comes to innovation, investment in the American economy, and job creation. In these tough economic times, we as policymakers should be committed to fostering this critical sector of the economy. Yet the laws that regulate this industry are outdated at best and some are affirmatively damaging. This is why Chairman Upton and I, along with the members of this subcommittee, have decided to undertake the difficult task of updating the Communications Act of 1934. In the eight decades since its passage, Congresses have come and gone. Some have even made substantial, though targeted, changes to the law. But none have undertaken to rethink the Act for the environment of convergence and innovation we live in today. It's time for our laws to reflect our modern technological landscape – one grounded in the networks and services of our past and driven by our IP and mobile future.

Just yesterday, the DC Circuit issued its decision in the net neutrality case, striking down the rules ordered by the FCC. I was pleased to see the court remove the government from the business of making management judgments, and give providers the freedom to make decisions that are pro-competitive and pro-consumer.

While this decision benefits consumers and providers alike by keeping the Internet free from government interference, the rationale highlights the ongoing confusion regarding regulation of different services. This is yet another example of why it is vital that we take a hard look at the laws in this space and reconcile them with the realities of technology. The answer is not to subject new technology to outdated regulations, but rather to craft laws appropriate to innovative services and platforms

As we embark on this effort, it should come as no surprise that I am focused on ensuring that we engage in a transparent and collaborative process, not just with our colleagues here in Congress, but also with the many stakeholders outside these halls. What we want is a dialogue. Last week, the committee released the first of a series of white papers seeking input from the public, and I hope that interested parties will take the opportunity to make their voices heard.

Today's witnesses provide a unique and valuable perspective on the Communications Act. As chairmen of the agency tasked with carrying out Congress's will and implementing the Act, the four witnesses today have had a front row seat to witness the Act in the real world; to see where it works and where it doesn't. These chairmen have varied experiences that in many ways represent the evolution of modern communications. When Chairman Wiley led the agency, telephone service was a government regulated monopoly, consumers got their news from broadcast television and print newspapers, and the Internet was still years away. Sixteen years later, when Reed Hundt took the reins, the Internet was coming into full force, and mobility was beginning to take off. Chairman Powell's tenure saw the convergence of services towards the bundled offerings we see today, as well as the deployment of broadband to Americans. And in the four years since Michael Copps served as Acting Chairman, there have been drastic changes to the way we communicate and the technology that powers our lives. For example, the title of today's hearing contains a hashtag: Twitter, then with no vowels in its name, had yet to be "discovered" at South by Southwest.

Neither we, nor the august panel before us can predict the future and what technological changes it will bring. But by learning the lessons of the past, we can do our best to create a legal and regulatory environment that will foster innovation and competition, encourage consumer choice, and optimum services. Again, thank you to our impressive panel of witnesses today – we look forward to hearing your testimony and we appreciate your public service.

###