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**Pallone Statement at Communications & Technology Subcommittee  
Markup  
of Seven Communications Bills Including His SANDy Act**

*Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ) today gave the following opening statement at a Communications and Technology Subcommittee Markup of seven bills, which included his Securing Access to Networks in Disasters (SANDy) Act.*

*The subcommittee will markup the following bills:*

- *H.R. 4889, the Kelsey Smith Act of 2016;*
- *H.R. 4167, Kari's Law Act of 2015;*
- *H.R. 4884, Controlling the Unchecked and Reckless Ballooning of the Lifeline Fund Act (CURB Lifeline);*
- *H.R. 4111, Rural Health Care Connectivity Act of 2015;*
- *H.R. 4190, Spectrum Challenge Prize Act of 2015;*
- *H.R. 3998, Securing Access to Networks in Disasters (SANDy) Act; and,*
- *H.R. 2031, Anti-Swatting Act of 2015.*

Thank you Mr. Chairman and Ranking Member Eshoo for holding this markup today on important communications bills, most of which focus on the importance of public safety communications.

Telecommunications plays a critical role in public safety. Ensuring people have access to communications services can make all the difference during an emergency, which is why I support many of the bills before us today. However, there is one bill included in this markup that actually makes it more difficult for low-income Americans to access these critical communications services. I will oppose that legislation.

In New Jersey, we learned firsthand during Hurricane Sandy the importance of telecommunications during an emergency. Making a call for help is difficult when the power is out, and when the cell towers are also down, it can be nearly impossible.

I'd like to thank Chairman Walden for including my Securing Access to Networks in Disasters, or the SANDy Act, in today's markup as well as two other Democratic bills. I hope all of these bills can garner bipartisan support. The SANDy Act would recognize the critical role that all communications providers—broadcasters, cable, and telecommunications—serve in emergencies, but most notably, the bill would ensure consumers have access to wireless service even if their particular wireless network goes down. We need to be better prepared because no one should be left with silence on the other end of the call when they dial 9-1-1.

Another bill we will be considering today, H.R. 4167 or Kari's Law, would also make us all safer. Last week we heard powerful testimony from Hank Hunt, whose daughter, Kari Dunn, might still be alive today if her hotel's phone simply allowed a call to 9-1-1 to go through without dialing an extra '9' first. We should never let that happen again, which is why I support the bill named for Mr. Hunt's daughter.

However, this bill can be even stronger. With minor changes, it can save more lives. Last week, we heard that another problem with these multi-line systems is that they do not deliver precise location information to first responders. We heard that a 9-1-1 call from the phone in this room would tell public safety officials only that we are somewhere in the Rayburn Office Building—a multi-story building that spans two city blocks. At a time when every second counts, crucial minutes would tick by as first responders scramble to track down the call. That is why I urge my colleagues to support a Democratic amendment that would direct the FCC to address this problem.

We also heard moving testimony last week from Melissa Smith whose daughter was abducted and killed. We heard how it took police four days to find her daughter Kelsey after she had been abducted because that's how long it took the phone company to hand over the location of Kelsey's cell phone.

This was a tragedy and we should find a bipartisan way to address this issue, which is exactly what this committee did in the last Congress. Democrats and Republicans came together to reach consensus on a way forward that would get law enforcement the location information they need quickly while still safeguarding consumer privacy. Most of these safeguards go into place after a search is over, and the record indicates these kinds of safeguards would not hamper an investigation.

For some reason, however, the Republicans decided to walk away from their own deal. Instead we have H.R. 4889—a version of the bill that drops all of the consumer safeguards the Republicans agreed to in the last Congress. But it is not too late. Tomorrow, Democrats plan to offer the version of the Kelsey Smith Act that easily cleared this Committee with bipartisan support in the last Congress. I urge everyone to support this Democratic amendment.

Unfortunately, not all of the bills before us today actually make us safer. As the other bills we are considering today make clear—our phones are the essential lifesaving devices that we keep with us every day. But H.R. 4884 would set a cap on the Lifeline program and effectively rip these essential lifesaving devices from the hands of the people who need help the most.

Last week, Abigail Medina told us about how her phone truly was her lifeline when she was on the program. A Republican witness countered that low-income Americans do not need the program because they can get online at restaurants or coffee shops instead. So I ask everyone here today: would you give up your phone and just go online at a coffee shop? If not, why is that fate ok for the millions of Americans who rely on the Lifeline program to provide them with their basic communications services—including the ability to call 9-1-1.

The best way to lower the costs of the Lifeline program is to lift people up, not to take away their connection to a better life.

I support the other three bills we are considering today. H.R. 4111, the Rural Health Care Connectivity Act, would ensure support for communications to skilled nursing facilities. This is a commonsense bill that provides these facilities in rural areas with reasonably comparable rates for telecommunications services provided to those in urban areas.

H.R. 4190, the Spectrum Challenge Prize Act, is Congresswoman Matsui's creative approach to improving wireless technology by encouraging innovators to find new ways to make sure that the billions of wireless devices worldwide can all connect without interfering with each other.

And finally, H.R. 2031 from Congressman Engel, would increase the penalties for an abhorrent practice. Swatting is when one person uses a fake caller ID to call in SWAT team against someone else, often as a prank. This behavior should not be tolerated, and I fully support this bill to stop it once and for all.

Thank you and I yield back my time.

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