

**STATEMENT OF
CHAIRMAN AJIT PAI
FEDERAL COMMUNICATIONS COMMISSION**

**HEARING ON “ACCOUNTABILITY AND OVERSIGHT OF THE FEDERAL
COMMUNICATIONS COMMISSION”**

**BEFORE THE
SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY
OF THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE**

DECEMBER 5, 2019

Chairman Doyle, Ranking Member Latta, and Members of the Subcommittee, thank you for holding this hearing. I appreciate this opportunity to update you on the work of the Federal Communications Commission to advance the public interest.

As was the case with millions of Americans last Thursday, the FCC has had a full plate this year—and that will certainly be the case as 2019 draws to a close. In particular, at the Commission’s December 12 open meeting, we will consider two important measures that will benefit the American public.

The first is a Notice of Proposed Rulemaking to take the necessary steps to establish 988 as a national 3-digit number to access suicide prevention and mental health services.

This proposal has a tragic backdrop. Suicide rates in the United States are at their highest levels since World War II. In 2017, more than 47,000 Americans died by suicide. That represents a 33% increase since 1999. And more than 1.4 million adults attempted suicide. This crisis is disproportionately affecting at-risk populations. More than 20 Veterans die by suicide every day. Between 2008 and 2016, there were more than 6,000 Veteran suicides each year. And perhaps the most disturbing trends involve young people. More than one in 10 young adults report having suicidal thoughts, a 47% increase since 2009. Suicide is the second-leading cause of death on college campuses. And LGBTQ youth contemplate suicide at a rate almost three times higher than heterosexual youth. More than half a million LGBTQ youth will attempt suicide this year alone.

To address this problem, I’m proposing that anyone who calls 988 be routed to the established National Suicide Prevention Lifeline, where they could be assisted by trained counselors. Based on our staff’s careful analysis, I believe that we can get 988 up and running more quickly than other 3-digit numbers. And quicker access will mean more lives saved. In addition, 988 has an echo of the 911 number we all know as an emergency number. Awareness of this resource—including how memorable the number is—should make a real difference when those in dire straits want to reach for a lifeline.

Of course, an increase in calls will mean increased demand for crisis centers, which will require increased resources. That’s why it’s so important that this effort has the support of Members of Congress from both parties, representatives from the relevant federal agencies, and nonprofit organizations that provide counseling services. In particular, I’d like to salute Congressmen Chris Stewart and Seth Moulton for leading on this issue in the House. I’m hopeful and confident that we’ll see similar bipartisan collaboration at the FCC next week.

Establishing 988 as a hotline for suicide prevention and mental health services would help so many people across many communities. I was honored to announce this proposal alongside representatives from various organizations working towards this common goal, including the Department of Health and Human Services, the Department of Veterans Affairs, the National Council for Behavioral

Health, Centerstone, and The Trevor Project. All of them agree that a simple number, 988, could be the lifeline that makes all the difference between life and death. Working together, we can make this happen. Working together, we can and will save lives.

The second critical item on the menu for the FCC's December 12 meeting is a Notice of Proposed Rulemaking that aims to reform the rules for the 5.9 GHz band in order to deliver value for American consumers in two ways: It would allow a promising automotive safety technology to move forward *and* create a new pathway for Wi-Fi innovation.

Here's the background. Back in 1999, the FCC allocated 75 megahertz of spectrum in the 5.9 GHz band in an attempt to develop a particular technology called Dedicated Short-Range Communications. Commonly known as DSRC, this technology was intended to enable ubiquitous transportation and vehicle-related communications. But this effort hasn't borne fruit. After two decades, DSRC has evolved slowly at best. It's not widely deployed. And many of the features originally envisioned for DSRC are today being provided by other means—such as traffic management tools, road hazard alerts, blind-spot detection and lane departure warnings. In the meantime, a wave of new transportation communication technologies has emerged. As a result, many people are wondering whether this valuable spectrum—a public resource—is really being put to its best use.

The proposal we will consider next week is intended to end the uncertainty around the 5.9 GHz band and create a path for the deployment of new services. Specifically, I'm proposing to make available the lower 45 megahertz of the band for unlicensed uses like Wi-Fi and allocate the upper 20 megahertz for a new automotive communications technology, Cellular Vehicle to Everything, or C-V2X. I'm also proposing that we seek public input on whether to allocate the remaining 10 megahertz in the band to C-V2X or DSRC.

This approach would allow consumers to have the best of both worlds: automotive safety technology and unlicensed innovation.

In terms of automotive safety, 30 megahertz of spectrum in the 5.9 GHz band would be dedicated to this purpose, with at least 20 megahertz of that band focused on C-V2X. C-V2X is a promising new technology that is gaining momentum in the automotive industry. It would use standard cellular protocols to provide direct communications between vehicles and, as the name suggests, everything—including other vehicles on the road, infrastructure (like light poles), cyclists, pedestrians, and road workers. C-V2X is also expected to support new, advanced applications as we transition to faster, more responsive 5G networks. And it is backed by automakers like Ford, Audi, BMW, Daimler, and Tesla. Unfortunately, C-V2X is incompatible with DSRC-based operations. That's why I'm proposing that we authorize C-V2X operations in the upper 20 megahertz of the 5.9 GHz band.

Despite the lack of progress thus far, we are not closing the door on DSRC. Japan, for example, has a single 10-megahertz channel for DSRC that is actively used for collision avoidance around intersections. So I'm proposing that we seek public input on whether to allocate the remaining 10 MHz of spectrum in the upper part of the 5.9 GHz band for DSRC or C-V2X. Advocates of each technology will be able to make their cases.

I'm also proposing to permit unlicensed operations in the lower 45-megahertz portion of the 5.9 GHz band. This would turbo-charge unlicensed innovation for American consumers. The best evidence of that is Wi-Fi's growing popularity. Since its launch in 1999—the same year the FCC allocated the 5.9 GHz band for DSRC—Wi-Fi has become a staple of everyday life. It binds together all our phones and laptops. It has become a foundational technology for the Internet of Things, connecting our TVs, thermostats, baby monitors, refrigerators, washing machines, toys, and even toilets. But this has raised a challenge for regulators: We need to make more spectrum available for unlicensed use. Indeed, to meet growing consumer demand, it's estimated that the U.S. will need to allow unlicensed use of up to 1.6 GHz of new mid-band spectrum by 2025. Permitting unlicensed operations in the lower 45-megahertz

portion of the 5.9 GHz band would be an important step toward this goal. And thanks to its neighbor, this spectrum would punch above its weight. The adjacent 5.725-to-5.850 GHz band is currently available for unlicensed operations, making this 45 MHz sub-band ideally suited for unlicensed use. Having more contiguous spectrum here is essential for the larger channels needed to support innovative use cases.

In short, I believe the best course is to dedicate 45 MHz exclusively for unlicensed operations, and also to establish a home exclusively for transportation-related communications. I'm grateful for the broad bipartisan support for reforms to the 5.9 GHz band—in particular, Representatives Anna Eshoo (with whom I authored an [op-ed](#) on this topic almost four years ago), G.K. Butterfield, Yvette Clarke, Bob Latta, Billy Long, and Doris Matsui. And this proposal has drawn support from a diverse array of think tanks, advocacy groups, and industry stakeholders—from TechFreedom, Public Knowledge, and Citizens Against Government Waste to the 5G Automotive Association, Ford, and the Wireless Internet Service Providers Association.

Thus far, I've discussed where we're about to go. But where we've just been is also worthy of mention. In this regard, we adopted two measures at our November meeting to protect national security and promote public safety.

The first was a decision to ban the use of funds from the FCC's Universal Service Fund (USF) for the purchase of equipment or services from companies posing a national security threat to the integrity of communications networks or the communications supply chain. We also initially designated two Chinese companies—Huawei and ZTE—as “covered” companies for purposes of this rule, and we set up a process for designating additional such companies in the future. Given the threats posed by Huawei and ZTE to America's security and our 5G future, this FCC will not sit idly by and hope for the best. Looking forward, we also proposed a process to remove equipment already deployed in USF-funded networks. Specifically, we proposed to require certain carriers receiving USF funds, known as eligible telecommunications carriers, to remove from their networks existing equipment from covered companies, starting with Huawei and ZTE. To mitigate the financial impact of this requirement, particularly on small, rural carriers, we proposed to establish a reimbursement program to help offset the cost of transitioning to more trusted vendors. This effort to secure our communications networks has strong bipartisan support, including Attorney General Bill Barr, U.S. Chief Technology Officer Michael Kratsios, Senators Mark Warner and Tom Cotton, and my FCC colleagues testifying alongside me.

In terms of public safety, we took a major step forward last month to ensure that wireless callers to 911 are able to be located more quickly and accurately. When you dial 911 for help, every second counts. That's why first responders need to be able to find you as quickly as possible. But when you call 911 from a wireless phone in a multi-story building, this can be a challenge. First responders may know what building address you're calling from, but they may find it difficult, if not impossible, to figure out which floor you're on. To address this challenge, a bipartisan majority of the FCC adopted a vertical, or “z-axis,” location accuracy metric of plus or minus 3 meters for 80% of wireless E911 calls from z-axis capable handsets. In English, this means that first responders will now be able to more accurately identify the floor level for most 911 calls and reduce emergency response time. We also recognize that as technology evolves, so too should our z-axis metric. That's why we're looking at tightening the z-axis metric over time, and even ultimately requiring wireless carriers to report the caller's specific floor level. I'm grateful for the substantial support we've gotten for this initiative, including from the International Association of Fire Fighters, the International Association of Fire Chiefs, the International Association of Chiefs of Police, the National Sheriffs' Association, the National Association of State EMS Officials, the National Association of EMS Physicians, the National Emergency Number Association, the National Association of State 911 Administrators, the National Public Safety Telecommunications Council, the Paramedic Foundation, and Public Knowledge.

I'll close with an update on another matter of national importance: advancing American leadership in 5G by continuing to execute on the FCC's 5G FAST plan. In particular, we've been moving

aggressively to make spectrum available for the commercial marketplace. For instance, on December 10, we'll commence Auction 103, which will involve bidding on more spectrum than in any auction in American history—3,400 megahertz of spectrum in the Upper 37 GHz, 39 GHz, and 47 GHz bands.

This will set the stage for two important auctions we're aiming to hold in 2020. The first involves the 3.5 GHz band. The Commission has enabled a dynamic sharing framework between federal incumbents and non-federal users. This three-tiered, hierarchical framework prioritizes incumbent federal users. Second-tier Priority Access Licenses, in turn, will receive protections from third-tier General Authorized Access, which is licensed by rule. Automated frequency coordinators, known as Spectrum Access Systems, will coordinate operations, and Environmental Sensing Capability operators will protect federal incumbent radar transmissions. On June 25, 2020, we will begin the auction for seven 10-megahertz channel licenses in every county across the country—a total of 22,631 licenses, which will be the most licenses ever offered in an FCC spectrum auction.

The second auction involves the 3.7–4.2 GHz band, commonly called the C-band. This band is particularly attractive for deployment of advanced wireless services because it features both good coverage and large capacity. I've consistently outlined four principles that would guide the agency in approaching the C-band. *First*, we must make available a significant amount of spectrum for 5G. *Second*, we must make this spectrum available for 5G quickly. *Third*, we must generate revenue for the federal government. And *fourth*, we must ensure that the services currently using the C-band will continue to be delivered to the American people.

After much deliberation and a thorough review of the record, I've concluded that the best way to advance these principles is through an auction of 280 MHz of the C-band conducted by the FCC's excellent staff. With a quarter-century track record of transparent and successful auctions, I'm confident they'll quickly conduct a public auction that will give everyone a fair chance to compete for this 5G spectrum, while preserving the availability of the upper 200 MHz of the band for continued delivery of programming. And I'm confident that the agency can commence this auction before the end of 2020.

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Chairman Doyle, Ranking Member Latta, and Members of the Subcommittee, thank you for this opportunity to testify. I will be pleased to answer any questions that you may have.