

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Subcommittee on Communications & Technology Ranking Member Doris Matsui**  
  
***Hearing on “Defending America’s Wireless “Leadership.”***

**March 10, 2023**

Thank you, Chairman Latta.

To say this hearing comes at an unprecedented time is no overstatement.

We’re here today under alarming circumstances – during a lapse in the FCC’s auction authority. Something that has never happened before.

Simply put, this is a failure. To add insult to injury, it was a completely avoidable failure.

Two weeks ago, the House passed a bipartisan bill to extend the FCC’s auction authority through May 19<sup>th</sup>. This extension was intended to give us time to continue negotiating while preserving the vital authority of the Commission. Unfortunately, that bill fell on deaf ears. Not only did the Senate decline to vote on the bill; it declined to vote on any extension.

This is in part because Senators have been receiving conflicting messages from the executive branch. A problem that has been plaguing Administrations of both parties for years.

A little more than two years ago, I sent my first letter to the incoming Administration. It was a letter to then President-elect Biden, urging him to develop a unified approach to spectrum policy and a clearly articulated process for resolving interagency disputes.

I’ll be entering this letter into the record. It’s just as relevant today as when I sent it two years ago. As I noted in the letter, more intensive use of spectrum has the potential to cause friction among federal agencies and commercial users.

To some extent this is unavoidable and healthy. Thoughtful debate about how to best utilize our limited spectrum resources will lead to better outcomes and more efficiency. But what can start as collaboration can quickly turn to conflict.

When disagreements do arise it’s vital that all agencies are aware of Administration policy and understand how to provide feedback in a constructive manner. But when this process breaks down or doesn’t exist, we end up where we find ourselves today.

The consequences of this lapse hold the potential to be severe and far reaching. It undercuts economic growth and long-term national security.

Companies with service footprints across the country are eager to put spectrum they acquired in the recent 2.5 GHz band to use but this lapse jeopardizes that. T-Mobile alone is waiting for the FCC to approve 7,156 licenses with a collective value of more than 300 million dollars.

In my district they're waiting on 5 licenses that could be put to use supporting home broadband and connecting underserved areas. But of course, the problems don't stop there.

The global race to 5 and 6G is still white hot, satellite broadband service is taking off, and Wi-Fi is set to make strides that will be massive for consumers. If the U.S. cedes ground to our global competitors in any one of these spaces, the consequences can be measured in American jobs and national security. On the heels of the Mobile World Congress we should all be reminded of just how competitive the global wireless communications marketplace is.

If the United States and other market economies aren't setting the pace for global harmonization, standards setting, and innovation, we create a vacuum that China will happily fill. And, while the FCC's auction authority isn't alone responsible for these issues, letting it lapse sets a dangerous precedent for our governance values.

Throughout this debate people have asked me – “would letting this authority lapse really be that bad?” My response has always been “I'm extremely concerned, and I think you should be too.”

I'm concerned about the impact on licenses waiting to be assigned, the slow erosion of longstanding jurisdictional boundaries, and the United States' standing as THE global innovation leader.

But I think there's also cause to be hopeful. This Subcommittee has shown a bipartisan willingness to tackle tough issues that reinforce US leadership. Like extending the FCC's auction authority for example!

So, I believe we have a chance to continue that track record to promote economic growth and national security.

First and foremost, we need to ensure the federal government is a driving force in maintaining a healthy spectrum pipeline. That means reasserting NTIA's role as statutory manager of spectrum and developing a unified Administration approach to spectrum policy.

We can also be taking steps now to encourage innovative governance models that allow for more intensive use of spectrum. And we need to keep the U.S. as the anchor of innovation to stay ahead of our global competitors.

I appreciate our witnesses being here today under what can only be described as difficult circumstances. I'm excited to dive in for what will be a timely and productive conversation.

With that I yield back the remainder of my time.