

**STATEMENT OF
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FEDERAL COMMUNICATIONS COMMISSION
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COMMITTEE ON ENERGY AND COMMERCE
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Chair McMorris Rodgers, Ranking Member Pallone, Chair Latta, Ranking Member Matsui, Vice Chair Carter and Members of the Subcommittee—thank you for the opportunity to appear before you today.

One year ago on this day, ChatGPT was launched. Like nothing before it, this text-generating chatbot introduced the public to the power of artificial intelligence. And during the intervening year in Washington, artificial intelligence went from fringe idea to totally mainstream. It is a healthy reminder that technology is advancing at lightning speed. So much of it depends on deepening our connections, strengthening our networks, and coming together to shape the digital age. It is also a reminder that the work of the Federal Communications Commission matters. Communications technologies power one-sixth of the Nation's economy. They are essential. They are an input into new technologies, old technologies, and everything we count on in civic and commercial life. That is why at the Commission we are working hard, moving fast, and getting a lot done. Across the board, we are committed to supporting new innovation, addressing old challenges, expanding opportunities, and securing American leadership in all things involving digital age communications.

So let me highlight a dozen things we have been working on.

First, the Commission recently moved to restore oversight over broadband and reinstate a national standard of net neutrality protections. The pandemic made it crystal clear that broadband is no longer just nice to have, but essential for a fair shot at 21st century success. And yet, the FCC is still unable to track and engage companies to resolve internet outages. We have acted to stop new and emerging threats posed by bad actors and foreign adversaries have risen in the national security space, but our efforts do not reach broadband networks thanks to the last administration's retreat from authority.

For these reasons, the Commission is taking steps to restore open internet policies and create a uniform legal framework that applies to the whole country, not just a few states. Because we know that broadband is a necessity, not a luxury. We know that every consumer should be able to go where they want and do what they want online without their broadband provider engaging in throttling, blocking or paid prioritization. And every consumer deserves broadband that is fast, open, and fair.

Second, earlier this month, the FCC fulfilled a congressional mandate provided to the agency by a strong bipartisan majority under the Bipartisan Infrastructure Law to implement the

first bipartisan civil rights law of the digital age. The FCC adopted rules that fulfill Congress' clear and broad directive to "facilitate equal access to broadband" and "prevent" and "eliminate" digital discrimination of access to broadband service. As the law requires, we did this in a way that is fair and reasonable, ensuring that we have a process to address these matters and recognize genuine issues of technical and economic feasibility for broadband providers, thoughtfully and carefully on a case-by-case basis.

Third, the Commission's Affordable Connectivity Program, the largest broadband affordability program in our nation's history now helps more than 22 million households pay for high-speed internet service. Across the country, I have met with people who have been able to get online and stay connected thanks to this program. Our current projections indicate that our appropriated funds to continue this program and keep these households connected will run out by April of next year. I strongly support funding the Affordable Connectivity Program into the future to help more families get and stay connected to the high-speed internet they need to participate in modern life.

Fourth, the FCC is fighting for consumers by promoting clarity and competition. Over the summer, we unanimously kicked off a rulemaking to ensure that the advertised price for your cable or satellite TV service is what you pay, and to prevent providers from adding junk fees like a "Broadcast TV Fee" or "Regional Sports Fee" to your bill. More recently, I asked my colleagues to join me in a rulemaking to require refunds if your cable or satellite television programming is blacked out due to contractual disputes between cable providers and video content providers—because no one should have to pay for service when all they are getting is a dark screen. And at the Commission's next meeting, we'll vote on my proposal to start a rulemaking to ban early termination and billing cycle fees charged by cable and satellite television providers, which make it harder to switch providers or simply cut the cord altogether. These efforts build on our work to implement broadband nutrition labels, which will require internet providers to display basic information about speed, latency, and cost in the same simple format we all know from the grocery aisle starting next year.

Fifth, the agency's work to create the National Broadband Map—the most accurate broadband map ever created—will help close the digital divide. For decades, the Commission produced broadband maps based on Census blocks. In practice, this meant that if there was high-speed internet service in a single location in a single block, the agency assumed there was service throughout the area. Needless to say, this methodology overstated service nationwide. Using the roadmap set out by this committee in the Broadband DATA Act, the FCC developed its first location-based broadband map to paint a more accurate picture of where broadband is and is not available across the United States. And because it is an iterative process, we updated it again on May 30 and again on November 17.

This new map identifies every household and small business in the country that should have access to high-speed internet service. For context, on how much more granular this is than what came before, in our current mapping effort the Commission identified over 115 million locations where fixed broadband could be installed compared to data from just 8.1 million Census blocks in our prior maps. Today, it makes clear that 7.2 million locations remain

unserved. We will keep iterating and improving this map and look forward to using this data to help efforts all over this country to bring broadband to everyone, everywhere.

Sixth, we're making sure that students can learn without limits. The agency's E-Rate program has been a quiet powerhouse for years, connecting schools and libraries across the country, in rural and urban areas, to high-speed broadband. But too often that connectivity ends when students and library patrons head home. During the pandemic, that meant that many students were locked out of the virtual classroom and stuck in the Homework Gap. Congress responded with the pandemic-era Emergency Connectivity Fund, which helped schools and libraries connect students and library patrons at home. Now, it's time for E-Rate to make these gains permanent. Last month, we voted to support Wi-Fi on school buses, which will turn ride time into connected time for classwork, particularly for students in rural areas who spend many hours on riding to and from school. We have also started a rulemaking so that libraries and school libraries can loan out hotspots allowing students and library patrons to connect at home. And we are proposing a pilot program to study how best to secure schools and libraries against cybersecurity threats.

Seventh, the Commission is working to connect the most vulnerable. Last month the Commission adopted rules to implement the Safe Connections Act championed by members of this committee. Under this law, the Commission has used its new authority to help survivors of domestic abuse to swiftly and securely separate from communications contracts like family plans. It also sets up a way for survivors to receive emergency communications support from Lifeline for up to six months.

We are also implementing the Martha Wright-Reed Just and Reasonable Communications Act. We are going to use this new law and the expanded authority it provides to ensure the rates for prison phone calls—both interstate and intrastate—are just and reasonable. We are going to use it to address advanced communications services like video. And we are going to use it to ensure access to these communications by those with disabilities.

In addition, we took steps to make the video conferencing services that have become ubiquitous more accessible to people with disabilities.

Eighth, we are working to protect your private data. We're cracking down on SIM swapping frauds, by unanimously adopting new rules to stop these scams that can take over your phones and drain your bank accounts, and next month, we'll vote to modernize our data breach rules for the first time in 16 years. These efforts have been spearheaded by the Commission's first-ever Privacy and Data Protection Task Force.

Ninth, we are doubling down on our efforts to stop scam robocalls and robotexts. Robocalls and robotexts aren't just exasperating, they are a pathway for fraudsters to harm consumers. So, we have been attacking them from all angles—cutting off bad actors from our networks, requiring providers to block unwanted calls, and mandating technology to stop call spoofing. Some of our efforts are beginning to bear fruit. After we identified the companies behind the auto warranty robocall scam, we told the rest of the industry to cut them off and auto warranty calls fell by 90 percent. We used the same method to reduce student loan scam calls by

88 percent. We now have a memorandum of understanding with Attorneys General from 48 states, the District of Columbia, and Guam to work together to go after illegal robocalls. Last month, we launched an inquiry into how artificial intelligence can be used to help us fight illegal robocalls and robotexts. And next month, we will vote on an order which will take further steps to crack down on illegal robotexts. I also have asked Congress for some new authorities to win this fight against robocalls. We need to fix the definition of “autodialer” because the Supreme Court’s current interpretation may lead to less consumer protection from unwanted robocalls and robotexts. And we need the authority to collect our own robocall fines—we’ve imposed more than \$600 million this year alone—and the authority to look at financial records so we can break up scam artist rings without them giving a heads up we are coming for them.

Tenth, the Commission is helping connect people to emergency services. Today, thanks in part to the Commission’s work, if you text or dial 988, you will be connected to professional, compassionate support for mental health emergencies. Since the July 2022 launch, 988 has answered about seven million calls, texts, and chats. And now, FCC rules will require service providers that deliver 988 calls to report outages and inform the public of alternate ways to contact the 988 Lifeline if an outage occurs.

And in October we adopted rules to enhance the accessibility of Wireless Emergency Alerts, by requiring wireless providers that participate in WEA to support messages in the 13 most commonly spoken languages in the United States, as well as American Sign Language. We launched this effort earlier this year after New York State Attorney General Letitia James brought our attention to the fact that nearly all of those who lost their lives during Hurricane Ida spoke languages other than English and Spanish. But we didn’t stop with adding more languages, we also required participating wireless providers to support location aware maps in WEA messages, so the recipient better understands their relative location to where the emergency is occurring.

Eleventh, the Commission is doing more than ever before to make your communications more secure. Under my strategy of “deter, defend, develop”: deter bad actors, defend against untrusted vendors, and develop a market for trustworthy innovation, the Commission has taken a number of actions to protect our networks from national security threats. For the first time in history, we have revoked the authorization to provide telecommunications services for four Chinese communications providers—though we need to go further and make sure this applies to broadband services. In addition, the Commission adopted my proposal to regularly review foreign companies’ authorizations to provide telecommunications services in the United States.

On top of this, we have launched the Secure and Trusted Communications Networks Reimbursement Program to remove Huawei and ZTE equipment in our communications networks. This is important for our domestic security and also sends a signal to the world that going forward we will not support insecure equipment in essential infrastructure. However, the \$1.9 billion previously appropriated to operate the Secure and Trusted Communications Networks Reimbursement Program falls short of what we truly need to secure our networks. After receiving and reviewing applications, we currently face a \$3.08 billion shortfall to fully reimburse participating carriers for removal, replacement and disposal of the problematic equipment. The Commission has received reimbursement requests from participants and, unless

further funding is provided, will only be able provide forty cents on the dollar to those companies seeking reimbursement.

We also launched a rulemaking proceeding to put in place a voluntary cybersecurity labeling program for connected smart devices, based on standards. We are calling it the U.S. Cyber Trust Mark, and it will help consumers make more informed purchasing decisions about device privacy and security. Those who build and develop connected devices will benefit from having this mark on their products, because it is a way of conveying to consumers that the connected devices we bring in our homes and lives—like baby monitors, home security systems, and fitness trackers—are safe.

And twelfth, we are doing our part to support wireless communications both in space, and on the ground, with an eye towards the future.

To keep pace with the growing importance of space-based communications, I established the Commission's first-ever Space Bureau. This is an effort to develop long-term technical capacity to address satellite policies, speed our resolution of matters before the Commission, and improve our coordination with other agencies. We have streamlined our rules for satellite applications. We have kicked-off a transparency initiative to provide more insight into what filing an application entails, as the space economy grows and the number and complexity of materials filed with us is expanding. We also have made clear a commitment to space sustainability, with our new rules shortening the period to deorbit satellites in low-earth orbit from 25 years to five years after useful life. In addition, for the first time ever, we issued a penalty to a satellite provider that failed to properly dispose of space debris.

On top of this, we recognize that the future of communications is likely to involve the convergence of space and terrestrial communications in 6G. So we are taking action. We are the first regulator in the world to announce work on a framework for convergence, which will combine traditional ground-based airwaves with satellite signals.

And here at the FCC, we are also finding more ways to use spectrum to support wireless communications into the future. We are working to free up more spectrum to serve as a launching pad for new technologies. We opened up 850 megahertz of unlicensed spectrum in the 6 GHz band for innovative very lower power devices that will deliver new immersive, real-time applications such as wearable technologies and augmented and virtual reality. We have already identified the 7-16 GHz band as prime mid-band airwaves for 5G, 6G and beyond. That is why I proposed making 550 megahertz of spectrum in the 12.7-13.25 GHz band available for new commercial mobile use. And we are not stopping there, the FCC is already looking to what a 6G future could look like including its impact on the digital divide, machine learning, how it could make life easier and more efficient for consumers, and new ways to connect industries, technology, and communities. Those communities include Tribal communities, and as a result of our work in the 2.5 GHz band, today more than 80 percent of Federally-recognized Tribes have licensed spectrum. That is real change—and real opportunity.

But as we plan for the future, we also need to be mindful of the spectrum demands in the present. And one thing that absolutely needs to happen is the restoration of the FCC's spectrum

auction authority. For three decades the FCC has had the authority to auction off airwaves to commercial actors to use to deploy, create, and innovate. But on March 9 of this year, that authority expired for the first time. As this Committee knows, if this is not corrected, it could have a tremendous impact. Over the past three decades, the FCC has held 100 spectrum auctions and, in the process, raised more than \$233 billion for the United States Treasury.

Restoring this authority will provide the United States with the strongest foundation to compete in a global economy, counter our adversaries' technology ambitions, and safeguard our national security. Most importantly, we cannot afford to wait. Restoring the FCC's auction authority is the first step in doing that, and it is my hope we can do it soon.

Last but not least, we are keeping our eyes laser focused the future, and—ending where I began—we have launched an inquiry into how artificial intelligence and machine learning could be used to facilitate more efficient spectrum use and new spectrum sharing techniques. In the wake of the release of ChatGPT, so much of the conversation about artificial intelligence has featured legitimate concern about competition, bias, and capacity for sentience. But the potential for using this technology for more dynamic and more creative use of communications resources that are scarce—like spectrum—is real, and we are excited to explore it.

So that's a quick tour of a dozen things the FCC is doing to keep pace with the rapidly evolving communications landscape and bring high-speed connectivity to everyone, everywhere that is secure, resilient and ready for the future. Thank you for the opportunity to join you today to share these details about the Commission's ongoing work. I look forward to your questions.