

**Opening Statement of Republican Leader Bob Latta
Subcommittee on Communications and Technology
“Oversight of the Federal Communications Commission”**

November 30, 2023

(As Prepared for Delivery)

Good morning, and welcome to today’s oversight hearing of the Federal Communications Commission. Commissioner Gomez, congratulations on your confirmation and welcome to your first oversight hearing before the Energy and Commerce Committee. Commissioners Carr and Starks, congratulations on your reconfirmations.

The FCC was last before this Committee five months ago, and much has changed since then. The Commission finally has a full slate of Commissioners and moved aggressively to advance partisan initiatives despite calls from this Committee

to continue down a bipartisan path. Since September, Chair Rosenworcel has embarked on a path to pursue a federal government takeover of the internet .

First, they plan to reclassify broadband as a common carrier under Title II of the Communications Act. This effort is unnecessary and defies logic. The Obama FCC attempted to impose these same regulations, making false claims that without them, the internet would be ruined. However, all of those statements were unsubstantiated, as broadband networks continue to thrive under the current light-touch regulatory framework.

In fact, our networks have performed remarkably well. They withstood the increased usage caused by the COVID-19 pandemic and, unlike Europe, our regulators did not have to ask sites to throttle or degrade their service. Providers were able to respond quickly to the demand. Turning away from this success with additional regulation that will only make deployment more difficult makes no sense.

Second, the FCC approved final rules on digital discrimination. Congress directed the FCC to adopt rules to “facilitate equal access to broadband internet service.” However, the rules adopted by the FCC go far beyond Congress’ intent.

Among other provisions, the rules adopt a “disparate impact” standard for determining violations rather than focusing on intentional discrimination. The FCC’s new rules permit the FCC to micromanage the broadband industry and dictate to providers where to build, how much to charge, and what kind of services to offer.

Burdensome and expansive regulations like these will only discourage broadband buildout at a time when Americans need it most. I urge the FCC to reconsider these rules and adopt narrower rules that are more consistent with Congressional intent.

The FCC is most successful when it pursues bipartisan priorities. Recently, the FCC voted to refresh the record on the 5G Fund, which will help

support deployment of 5G in rural areas. 5G is critical for connectivity and use cases like precision agriculture; we need to make sure every American has access to broadband at home and on the go. The broadband landscape has changed significantly since the FCC first adopted rules for the 5G Fund in 2020, so I appreciate that the FCC is revisiting these rules in light of recent events.

I will end on a note of caution. The recent partisan actions taken by this Commission give me grave concern. At a time when the government is preparing to provide over \$42 billion in taxpayer money for broadband deployment, imposing burdensome federal regulations risks this money being wasted.

Thank you again to the Commissioners for being here today, I look forward to discussing these and other important issues before the Commission.

I now yield to my colleague, the Ranking Member of this subcommittee, the gentlelady from California's Seventh District, for her opening statement.