

**Opening Statement of Republican Leader Greg Walden  
Subcommittee on Communications and Technology  
“Strengthening Communications Networks to Help Americans in Crisis”  
February 27, 2020**

*As Prepared for Delivery*

Thank you, Mr. Chairman.

We have a number of bills before us today that aim to advance public safety communications, and it is my hope that we can work in a bipartisan manner to reach consensus. But much work remains to be done before many of these bills are ready for full consideration by the subcommittee.

To start, we will be discussing the RESILIENT Networks Act put forth by the Chairman. I appreciate his work on this issue, and I know this has been a focus of his for a long time, going back to his work during Superstorm Sandy. In fact, we included his SANDy Act in RAY BAUM’S Act last Congress, which addressed complicated issues that we examined in a bipartisan manner over several years. The RESILIENT Networks Act attempts to address concerns related to making sure wireless networks are restored in a timely and efficient manner during times of emergency, but this bill has not seen the thorough examination necessary for such an important topic.

I commend the Chairman for taking initial steps to examine these issues in depth. In October 2019, Chairman Pallone requested a GAO study to investigate and evaluate the failures in response to restoring communications in Puerto Rico after the devastating hurricane to see what happened during that crisis, and what can be improved. Without objection, I would like to offer this letter for the record. We have not yet seen the results from that study, which may inform how Congress could address the issues contemplated in the RESILIENT Networks Act.

The FCC is also taking steps to address these issues. In fact, the Commission is voting *tomorrow* on an item to provide state and federal agencies with access to outage data. In many cases, having access to wireless communications during a natural disaster saves lives, so Mr. Chairman, it is important that we get this policy right.

As we will hear today, the wireless industry has made great strides over the last several years to expand their Wireless Resiliency Cooperative Framework, which is a voluntary process to enhance coordination in times of an emergency. This framework must remain flexible, so we can allow best practices and lessons learned to evolve without creating unnecessary barriers to restoration. Every disaster is different, so communications providers and their partners need sufficient flexibility to adapt to specific situations. States are also at the forefront

of a lot of this work, as we have seen with wildfires out west in Oregon or California. As you know, state regulators have jurisdiction over electric distribution. We must be mindful of how they are addressing this issue so we do not disrupt those efforts with heavy federal regulations. And we must also be mindful to not expand the Federal Communications Commission's jurisdiction to include the electric distribution or transmission system – where they have no relevant expertise.

But we cannot talk about the importance of the resiliency of the 9-1-1 system while turning a blind eye to flagrant and obvious attempts to undermine the system's integrity, and dare I say resiliency. That is why I'm also pleased to discuss the FIRST RESPONDER Act today. Over the last several years, I have sought to find a consensus solution to the T-Band auction mandate that was included in the 2012 Spectrum Act, and address related issues including the efficient use of public safety spectrum and diversion of 9-1-1 fees.

The FIRST RESPONDER Act would repeal the T-Band auction mandate, and includes strong provisions to address the shameful acts by some states of diverting 9-1-1 fees intended for the maintenance and upgrade to Next-Generation 9-1-1. While some states may not have clear understanding on what is a 9-1-1 expenditure, other state

politicians have made a more conscious decision to divert 9-1-1 fees to spend the money on pet projects unrelated to public safety. The FIRST RESPONDER Act addresses both concerns: it gives well-intentioned states clarity on how to prevent 9-1-1 fee diversion in the future, but also takes steps to investigate whether criminal penalties or other tools could end this shameful practice by the worst offenders.

I thank our witnesses for agreeing to testify today, and to share their thoughts on these proposals. I look forward to hearing from each of you on these very important topics.

I yield back the balance of my time.