

Written Statement of

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Commissioner
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**Hearing on
Oversight of the Federal Communications Commission**

**Before the
Subcommittee on Telecommunications and the Internet
Committee on Energy and Commerce
United States House of Representatives**

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Summary of Written Testimony of Commissioner Deborah Taylor Tate

As a Commissioner at the Federal Communications Commission, it is my role to implement the laws passed by Congress, and I welcome the opportunity to hear directly from members of this Subcommittee regarding issues facing the FCC, the industries we impact, and, indeed, all Americans.

The communications marketplace continues to evolve daily, blurring the lines between traditional communications platforms. While this convergence creates real benefits for consumers through the introduction of new services and increased competition among service providers, it also challenges us to adapt our regulations to these market changes. In doing so, whenever possible, I believe we must promote balanced, technology-agnostic regulation, which provide incentives to investment and encourage innovation.

One challenge of this new digital age involves our review of the Commission's broadcast ownership rules. Given the important role that the broadcast media play in our democratic society's marketplace of ideas, I am committed to working with my FCC colleagues and members of this Subcommittee to ensure that our actions further the touchstone goals of competition, localism, and diversity. Currently, we are in the process of hearing from the public and have held three of our planned six hearings across the country, one of which was in my hometown of Nashville, Tennessee.

Broadband deployment is essential for the future of our country, not only for the communications industry, but also for every business in America and for our global competitiveness. It is extremely important that the Commission continue to promote the deployment of advanced networks capable of providing broadband and video services. Broadband promises unprecedented business, educational, and healthcare opportunities for all of us, no matter where we choose to live. I am committed to working with my FCC colleagues and members of this Subcommittee to encourage the further deployment of new and innovative services and to foster competition to all Americans.

My work as a state commissioner as well as the Chair of the Federal-State Joint Board on Universal Service has made it clear to me that the Universal Service Fund is a critical program for ensuring access for consumers in rural and high-cost areas and for promoting access to advanced services for schools, libraries, and rural health care providers. As the converging communications landscape changes, however, the Commission must recognize how technological changes are putting strains on the mechanics of our contribution and distribution systems. We must address these changes with technology-neutral, fair and understandable policies to sustain and stabilize the fund. Therefore, the Commission should consider potential reforms on both the contribution and the distribution side of the fund.

The FCC also continues to improve access to communications services for persons with disabilities by requiring interoperability among competing video relay

service providers and approving innovative new services like IP-captioned telephone that improve access to communications for many Americans.

Last, but possibly most important, I would like to touch on the issue of public safety and homeland security. My colleagues and I are keenly aware of how critical reliable communications technologies are when public safety or homeland security concerns become paramount and, therefore, launched our new Public Safety and Homeland Security Bureau. This action underscores the fact that the dissemination of vital information and interoperable communications at every level are the backbone of our defense against natural disasters, attacks on our homeland, and even the possibility of a pandemic, health-related, or environmental attack. I am eager to work with this new Bureau and all members of Congress as we continue to address policies that will help improve our public safety and homeland security.

Written Statement of Commissioner Deborah Taylor Tate

Good morning Chairman Markey, Ranking Member Upton, and distinguished members of this Subcommittee. I appreciate the opportunity to participate in this hearing today, to engage in an open conversation regarding your thoughts and concerns about various issues currently or soon to be before us at the Federal Communications Commission.

At the outset, I want to commend Chairman Dingell, Subcommittee Chairman Markey, Ranking Member Barton, and Ranking Subcommittee Member Upton for their admirable leadership. As an FCC Commissioner, it is my role to implement the laws passed by Congress, and I look forward to working with all of the members of this Subcommittee to help shape our communications policy in the best interests of the American public.

I also would like to commend Kevin Martin for his strong and effective leadership as Chairman of the FCC. Commissioner Copps, Commissioner Adelstein, and Commissioner McDowell also deserve praise for their commitment to building consensus.

The communications marketplace continues to evolve daily, as convergence shakes the foundations of the old order for industry, for government, and for consumers alike. Converging technologies are blurring the lines between traditional communications platforms: we make telephone calls through our cable system, watch television on IPTV, and get Internet access from our electric company. While this convergence creates real benefits for consumers through the introduction of exciting services and increased competition – not only among service providers, but even across platforms – it also challenges us to adapt our regulations to these market changes. In

doing so, whenever possible, I believe we must promote balanced, technology-agnostic regulation, which provide incentives to investment and encourage innovation.

One challenge of this new digital age involves our review of the Commission's broadcast ownership rules. As a state and FCC Commissioner, I have been a proponent of outreach initiatives to solicit public input. Transparency in government decision-making is important and forms the basis of our nation's administrative procedure laws. Currently, we are in the process of hearing from the public on broadcast ownership and have held three of our planned six hearings across the country; the first in Los Angeles, California – where we were honored to have the participation of, among others, Congresswoman Maxine Waters, Congresswoman Diane Watson, the Reverend Jesse Jackson, and hundreds of citizens. The second hearing was in my hometown of Nashville, Tennessee – where we heard from music legends, songwriters, academics, citizens, and your colleagues, Congressman Jim Cooper, Congresswoman Marsha Blackburn, and newly-elected Congressman Steve Cohen. Our third and most recent hearing was held on February 23, 2007, in Harrisburg, Pennsylvania.

Given the important role that the broadcast media play in our democratic society's marketplace of ideas, I am committed to working with my FCC colleagues and members of this Subcommittee to ensure that our actions further the touchstone goals of competition, localism, and diversity. As we review our media ownership rules, however, we must be mindful of the ongoing, dramatic changes in the ways we – especially “generation-i,” those raised with the Internet – receive our news, information, and entertainment, anytime, anywhere. And our mobile phones now provide us with stock quotes and e-mail updates from sources across the globe. We must make sure that we

account for these effects of the digital age, because, from a regulatory standpoint, the media marketplace of tomorrow is being shaped by our actions today.

Most of my professional life has been spent addressing issues of significant impact to children and families, and that did not stop when I arrived at the FCC. Although most media visibility surrounds our enforcement of congressional restrictions on the broadcast of obscene, indecent, and profane programming, other issues that we are addressing include the national epidemic of childhood obesity, the effect of violent programming and advertising on children as well as how our children's programming rules will be applied to the new, digital multicast world. These are important issues, and I am pleased that the FCC is taking a leadership role in addressing them.

Broadband deployment also is essential for the future of our country, not only for the communications industry, but also for every business in America and for our global competitiveness. It is extremely important that the Commission continue to promote the deployment of advanced networks capable of providing broadband and video services. Broadband promises unprecedented business, educational, and healthcare opportunities for all of us, no matter where we choose to live. The convergence of services and platforms – from broadband over power line, cable modem, and DSL, to fiber-optics, satellite, and wireless – will only help to further drive the need for better and more ubiquitous broadband throughout the country. Nearly 65 million Americans had access to high speed lines by June 2006, over a 50 percent increase in one year, with rural Americans more than doubling their broadband connections from 2003 to 2005. This is good news. While almost a third of the world's broadband connections are in the United States, we still have more to do. I am committed to working with my FCC colleagues

and members of this Subcommittee to encourage the further deployment of new and innovative services and to foster competition. Participation in the digital age requires broadband, and it is essential that we create an environment that maximizes its deployment. In addition, I also note that I support the Commission's *Internet Policy Statement* and believe it is vital that "consumers are entitled to access the lawful Internet content of their choice."

While I believe in general that the marketplace can best address many of the economic issues we face at the FCC, I am pleased that we continue to ensure that the critical needs of consumers are also addressed. My work as a state commissioner as well as the Chair of the Federal-State Joint Board on Universal Service has made it clear to me that the Universal Service Fund is a critical program for ensuring access for consumers in rural and high-cost areas and for promoting access to advanced services for schools, libraries, and rural health care providers. However, the Universal Service Fund is now approaching nearly \$7 billion in annual outlays. As the converging communications landscape changes, the Commission must recognize how technological changes are putting strains on the mechanics of our contribution and distribution systems which must be addressed by technology-neutral policies. Therefore, the Commission should consider potential reforms on both the contribution and the distribution side of the fund.

Currently, the Federal-State Joint Board is considering proposals designed to improve the distribution of high cost support to eligible providers, and we recently held an *en banc* meeting in Washington, D.C. to hear from experts on these matters. It is essential that we utilize technology neutral, fair and understandable systems to sustain and stabilize the fund. To do this, we must all work together – Congress, the industry,

and consumers – to put in place technology-neutral policies that provide incentives for effective and efficient use of the fund.

The FCC also continues to improve access to communications services for persons with disabilities by requiring interoperability among competing video relay service providers and approving innovative new services like IP-captioned telephone that improve access to communications for many Americans. Of course, more work lies ahead to ensure that we responsibly manage our obligations to achieve functional equivalence for all Americans.

Along with Congress, the Commission has also been active in helping protect the privacy of confidential and delicate consumer information. Last year, we opened a rulemaking to address the abhorrent practice of pre-texting to obtain consumer's private phone records, and we are now poised to issue final rules designed to ensure the privacy of consumer information maintained by telecommunications carriers. I would also like to commend this Subcommittee for its commitment to addressing this issue.

Last, but possibly most important, I would like to touch on the crucial issue of public safety and homeland security. While we continue to mourn the innocent lives lost and honor the brave and selfless acts of the first responders on September 11, 2001, and during the Hurricane Katrina and Rita disasters, we must also learn from our experience and equip the nation and our citizens to be able to communicate more effectively in such times. In March 2006, at the second meeting of the FCC Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks in Mississippi, I heard personal accounts of the devastation. The one clear message I heard was the need for redundancy. I applaud the collaborative efforts and contributions of the

communications and public safety industries, which have worked hard to address the policy goals and technical issues that make these necessary improvements possible.

My colleagues and I are keenly aware of how critical reliable communications technologies are when public safety or homeland security concerns become paramount and, therefore, launched our new Public Safety and Homeland Security Bureau. This action underscores the fact that the dissemination of vital information and interoperable communications at every level are the backbone of our defense against natural disasters, attacks on our homeland, and even the possibility of a pandemic, health-related, or environmental attack. I am confident that the Commission will continue to do all it can to strengthen and protect our Nation's communications infrastructure, and I am eager to work with this new Bureau and all members of Congress as we continue to address policies that will help improve our public safety and homeland security.

Again, I appreciate your invitation to be here with you today. I look forward to hearing from you, and I will be pleased to answer any questions.