

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

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COMMITTEE ON ENERGY AND COMMERCE

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October 26, 2018

The Honorable Ajit V. Pai  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Pai:

As the Florida Panhandle and other areas of the south continue to recover from Hurricane Michael, I am writing to encourage you to commence a rulemaking before the end of the year to expand and make enforceable the Wireless Network Resiliency Cooperative Framework (Framework). The frailty of some communications networks has caused customers in Michael's footprint to suffer long service outages, depriving people of vital tools to keep in touch with first responders, friends, and loved ones. This is simply unacceptable.

During my tenure as Ranking Member, I have argued for stronger, enforceable protections for consumers that would better ensure that Americans in the path of major disasters continue to have access to vital and lifesaving communications networks. Major weather-related disasters are becoming more and more frequent, and I have seen firsthand how communities suffer when communications networks fail following storms like Superstorm Sandy in my own district. For those reasons, I have consistently called on the Commission to prioritize network resiliency in hearings,<sup>1</sup> and as reflected in the SANDy Act, both as introduced<sup>2</sup> and as signed into law as part of the RAY BAUM'S Act.<sup>3</sup> While the Framework that was ultimately adopted made meaningful progress toward that goal, more needs to be done. Unfortunately, my past calls on

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<sup>1</sup> House Committee on Energy and Commerce, *Pallone Stresses Network Resiliency During Emergencies at Broadcast Incentive Auction Hearing* (Sept. 7, 2017).

<sup>2</sup> H.R. 3998, 114th Cong. (2015).

<sup>3</sup> Pub. L No. 115-141, Title III, Division P (2018).

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the Commission to review and update the Framework were not heeded<sup>4</sup> even after the Government Accountability Office made similar recommendations in a report earlier this year.<sup>5</sup>

I am encouraged by your recent acknowledgement that a “comprehensive reevaluation” of the Framework and network resiliency needs to be done, including expanding network resiliency requirements to other network providers beyond wireless. But words without action are insufficient. Resilient communications networks can mean the difference between life and death during and after a storm. I hope that your concern is not driven by the upcoming election, but instead on the needs of consumers. To that end, I urge you to begin a rulemaking before the end of the year to ensure that Americans can count on more resilient communications networks by next hurricane season. With the lives and property of Americans at stake, I am hopeful that these recent statements embody a genuine shift in policy and priorities within your Administration.

Finally, given the devastating damage that category 5 Typhoon Yutu inflicted on the U.S. Commonwealth of the Northern Mariana Islands, I urge the Commission to monitor and assist in the restoration of communications. Public updates, as you have done for recent hurricanes, are warranted as well.

I appreciate your attention to this important matter. Please provide an update regarding any and all Commission activity related to this request by November 16, 2018. Should you have any questions, please contact Gerald Leverich of the Democratic Committee staff at (202) 225-3641.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." in a cursive style.

Frank Pallone, Jr.  
Ranking Member

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<sup>4</sup> House Committee on Energy and Commerce, *Pallone Calls for FCC Review of Nation's Wireless Network Resiliency Following Devastating Hurricanes* (Oct. 17, 2017).

<sup>5</sup> House Committee on Energy and Commerce, *GAO Admonishes FCC for Failure to Promote Network Resiliency Framework* (Jan. 9, 2018).