

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL,
CONCURRING**

Re: *The Uniendo a Puerto Rico Fund and the Connect USVI Fund, et al.*, WC Docket No. 18-143; *Connect America Fund*, WC Docket No. 10-90; *ETC Annual Reports and Certifications*, WC Docket No. 14-58.

It was just two years ago that Hurricane Maria ravaged Puerto Rico and the Virgin Islands. We all remember it because the images are impossible to forget. They were searing. We saw whole communities underwater, flooded with more than 30 inches of rain. We saw the destructive aftermath of winds that reached an astonishing 155 miles an hour. The damage and dislocation was so severe that the toll the storm took may never be fully understood. But experts say we lost more than 4,600 lives in the storm. And on top of the horrific loss of life, Hurricane Maria left \$90 billion in damages, including significant harm to communications networks.

In the wake of this tragedy, I visited Puerto Rico. Now, I've spent a lot of time in Puerto Rico in the past. But this trip was different. Six months after the storm I went to learn about its recovery. I was disappointed then—and I remain disappointed now—that the Federal Communications Commission refused to hold a hearing in Puerto Rico in the aftermath of the disaster—because what I saw was powerful.

The damage from Hurricane Maria was still out in the open, for all to see. Traffic lights didn't work. Streets were unexpectedly dark at night. Businesses were closed. Construction gates still surrounded stray blocks of concrete and rebar. There were gashes in infrastructure and signs missing along the roads that needed no explanation for their absence. These are the marks of a storm that just doesn't go away, that reminds its residents of the awful harm that wind and rain can do to a community, its economy, and its way of life.

But I knew it was important to get out of the city. So I headed west from San Juan to Toa Baja. It's a rural area that is near where sugar cane fields once stood, when agriculture loomed larger in the Puerto Rico economy. The low-slung houses are arranged in a tight grid along the banks of a small creek. Long ago this creek was used to irrigate those sugar cane fields. But in more recent years it just gurgled along, a border of sorts for a small neighborhood of Villa Calma.

Villa Calma was hit hard by the hurricane. The ocean swelled and the banks of that creek rose up and filled the first floor of every home in the neighborhood. As the water poured in, Milly Ortiz—who I had the privilege to meet—organized her neighbors and pulled hundreds of its residents into the school on higher ground, where they lived together for a week before the government relocated them and found them new shelter.

When I met Milly, they were rebuilding Villa Calma. She showed me the community kitchen they built and a plot of land where she was planning a neighborhood garden. But it was clear that none of this would be easy because the wet and rotten mess of the hurricane was still being pulled from each home, dried on the streets, sorted through, and what was not salvageable carried away.

From what I saw, the hardship was undeniable. But so was the heroism. When we read about Puerto Rico, the news is rough. The recovery is long. But what stays with me from that visit is the resilience of the people I met. They were extraordinary.

So today's decision is encouraging. It provides more than \$900 million to improve, expand, and harden broadband networks in communities devastated by Hurricane Maria. I support the outcome because it refashions universal service support for communications in Villa Calma, all of Puerto Rico and the Virgin Islands, in light of the damage suffered in this storm.

But I concur because this is simply not how I would have structured our response.

At the outset, in the two years since Hurricane Maria made landfall, the FCC has spent over \$100 million in universal service funds in an effort to boost the restoration of communications on Puerto Rico and the Virgin Islands. However, comb through the text of this decision, and it's apparent the FCC does not have a clear picture of where those funds were spent and what the current state of communications facilities looks like on the ground. We should know with precision what was spent and where. And we should fashion what we do today around all of that information. But we do not. That's regrettable. It's an invitation for waste because it fails to ensure we are directing funding to areas with the greatest need.

Looking forward, I also believe we need to have a better playbook for disaster. Because the hard truth is that Hurricane Maria will not be the last extreme weather event to wreak havoc on communications infrastructure. It's time for the FCC to develop a consistent and reliable approach to ensuring the resiliency of networks in disaster.

Here are three things that a better disaster playbook would include.

First, every weather event causing significant damage to communications should be the subject of a timely report from the FCC. It should be supported by field hearings—as was done following Hurricane Katrina and Superstorm Sandy. But on this score, our approach to Hurricane Maria fell short. As I said at the start, the FCC held no field hearings. It issued a slim report summarizing damage a year after the storm took place. We owe communities a timely and comprehensive investigation of what went right, what went wrong, and how we can be better prepared in the future.

Second, the FCC must improve its situational awareness regarding communications outages. It's hard to believe, but the FCC's Network Outage Reporting System does not require carriers to report on disruptions or outages involving broadband service. That means if the infrastructure that supports our digital world and so much of modern life goes down, the FCC will not have a full picture of the problem. That's crazy. The expert agency with responsibility for our nation's communications has no mandatory reporting for what broadband was cut off and when. That means that it has no real ability to study patterns of failures and develop policies to keep our networks up and running. A proposal to address this hole in our reporting systems has been pending for three years. It's time to take action and fix it.

Third, we need to do more to ensure our networks are resilient. A good place to start is with the Wireless Resiliency Framework, which was an outgrowth of Congressman Pallone's work to improve networks in disaster following Superstorm Sandy. Last year, the Government Accountability Office reviewed FCC efforts pursuant to this framework and concluded that we need to do more to promote awareness, develop measurable objectives, and monitor outcomes to help ensure compliance. In response, the FCC has sought comment on improvements to the framework on four separate occasions. Enough. We don't need more comments, we need enforceable commitments.

But our work on wireless resiliency should not be static. Our networks are changing and our thinking should evolve, too. With the advent of 5G wireless service, we are seeing large-scale small cell deployment. That means our old way of thinking about fuel, back-up power, and tracking the percentage of cell sites out of service after a disaster requires a revamp. While virtualizing our networks might mean new self-healing capabilities, it also introduces new challenges for reliability. This is why our next infrastructure proceeding needs to be about updating our wireless resiliency policies and frameworks for the 5G era. We should get started now—and not wait for the next weather disaster.

Finally, today's order is eerily silent on the larger network security and supply chain discussion that is happening right now. So let me put it in plain terms: none of the universal service funding we authorize today should be spent on the purchase of network equipment that could raise national security concerns. I'm mystified that this was not made a clear condition of the network funding offered today, especially because there is an active United States military presence on Puerto Rico, including military installations. The FCC should have made this prohibition clear in this decision and it should not wait another day to resolve the outstanding rulemaking we have on supply chain matters more broadly.

I appreciate the work that went into today's decision and I am hopeful, despite my concerns, that it will mean real progress for network development in Puerto Rico and the Virgin Islands. I concur.