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COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce H.R. 3125, the Radio Spectrum Inventory Act, and H.R. 3019, the Spectrum Relocation Improvement Act of 2009 Subcommittee on Communications, Technology, and the Internet December 15, 2009

I want to thank Chairman Boucher for holding this important legislative hearing on two bills that, if adopted, will create incentives for efficient spectrum utilization and enhance our ability to develop forward-looking spectrum policies.

Ongoing developments in wireless broadband technology – along with increased consumer demand – have raised questions about the sufficiency of current spectrum allocations for wireless communications services.

Some experts estimate that the wireless industry in the United States needs an additional 150 megahertz of spectrum to simply keep up with the explosion in wireless data usage and to remain competitive with other nations.

Before we can start identifying bands of spectrum that might be made available for these new services, however, we need to understand how existing spectrum is allocated and utilized. In simple terms, we need better information about spectrum usage by federal and non-federal entities.

Accordingly, in July of this year, a bipartisan group of 18 Energy and Commerce Committee members introduced H.R. 3125, the Radio Spectrum Inventory Act. This legislation represents a critical first step in developing a forward-looking spectrum policy.

H.R. 3125 is simply about making spectrum usage and allocation transparent. It would direct the National Telecommunications Information Administration (NTIA) and the Federal Communications Commission (FCC) to develop a publicly-available inventory of users and usage in the most valuable spectrum bands.

The bill also directs the agencies to examine whether there is under-utilized spectrum that might be reallocated for more efficient uses.

Of course, any comprehensive look at spectrum must be sensitive to military uses and the need to protect information about such uses. The bill, therefore, establishes a procedure by which information pertaining to national security will continue to be safeguarded. The Committee will continue to work with the Department of Defense to make sure we are sensitive to any concerns regarding our national defense.

I would also like to express my general support for H.R. 3019, the Spectrum Relocation Improvement Act of 2009. I commend Representatives Inslee and Upton for introducing this thoughtful legislation to improve the current spectrum relocation process by increasing the flow of information and resources, as well as enhancing transparency.

Thank you again, Mr. Chairman, for holding this hearing. I look forward to working with you as we move these important bills forward.