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Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
“Using Spectrum to Advance Public Safety, Promote Broadband, Create Jobs,
and Reduce the Deficit”
Subcommittee on Communications and Technology
April 12, 2011

Since the start of the Congress, the Communications and Technology Subcommittee has been engaged in a partisan and divisive effort to overturn the FCC’s open Internet order. This kind of partisanship is unusual for this Subcommittee, so I have looked forward to returning to bipartisan efforts to address the numerous communications and technology issues that require our urgent attention.

Spectrum policy is a good place to start.

Smart spectrum policy can help improve public safety, promote broadband, create jobs, and reduce the deficit. These aren’t easy goals to achieve, because the spectrum policy issues are complicated. But if we work together, I believe we can succeed.

One essential task is to provide public safety with a nationwide interoperable broadband network. There are different views on the best way forward. Some want the FCC to auction the D block to a wireless provider and encourage collaboration between the winning bidder and public safety. The FCC’s Broadband Plan recommended this approach. And in the last Congress, bipartisan Energy and Commerce Committee staff circulated a discussion draft that proposed to implement a number of the FCC’s recommendations.

Others want Congress to reallocate the D block to public safety. This approach is favored by public safety leaders and President Obama, and it has bipartisan support in the House and Senate.

Both approaches have promise. With the tenth anniversary of 9-11 fast approaching, we need to settle on a path forward and work cooperatively together to ensure that public safety has what it needs to deploy an interoperable broadband network nationally. I will work with Chairman Upton, Chairman Walden, Chairman Rockefeller, Ranking Member Hutchison, the Administration, and the public safety community to find the best solution.

Second, we need to determine the best way to implement incentive auctions. I believe incentive auctions are an innovative proposal for using underutilized spectrum to advance public safety, promote broadband, and create jobs. As noted by the 112 economists who wrote President Obama in support of incentive auctions last week, “[i]ncentive auctions can facilitate the repurposing of spectrum from inefficient uses to more valuable uses while minimizing transaction costs incurred. Giving the FCC the authority to implement incentive auctions with flexibility to design appropriate rules would increase social welfare.”

I recognize some are concerned about whether we can ensure that “voluntary” actually means “voluntary.” I am confident we can find a way to avoid unfairly disadvantaging broadcasters in this process, and I appreciate the broadcasters’ willingness to work with us to figure this out.

Finally, we also need to examine federal use of spectrum resources. The Administration deserves credit for directing NTIA and the FCC to identify and make available 500 MHz of spectrum over the next ten years, a significant portion of which will come from bands currently utilized by federal agencies. We need to make sure federal spectrum is being utilized efficiently, while avoiding interrupting critical agency missions, including in the area of national security and law enforcement. Moreover, we need to provide the agencies with adequate resources – and perhaps even incentives – to move from identified spectrum expeditiously.

I am glad we are having this important hearing so we can begin our work on these important issues. I look forward to hearing from our witnesses.