

Prepared Remarks of  
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Chairman, House Subcommittee on  
Telecommunications and the Internet  
June 20, 2008  
**Federal Communications Bar Association**  
Washington, D.C.

Good Afternoon. Thank you. As always, I am pleased to be in a room with the fine lawyers of the FCBA

As all of you are keenly aware, this is a busy time in telecommunications policymaking both on the Hill and at the FCC. The Commission has a particularly full plate right now – managing the DTV transition, consideration of the welcome proposal from Chairman Martin to auction spectrum for a free, “lifeline broadband” service, the XM-Sirius merger, wrestling with issues regarding how to inject more competition into the wireless market for services, devices, and applications, especially in the context of the re-auction of the D-Block and its important public safety component, and a host of others.

In the Telecommunications and the Internet Subcommittee in the House, we’ve have had an extremely busy year and a half – and our oversight has been significant – we’ve held 28 hearings already (including 5 on the Digital TV transition alone) – and that’s compared to 18 hearings total held in the previous Republican–controlled Congress. And we’re not done yet. We have a hearing next Tuesday on universal service. We also intend to look more closely at so-called “deep packet inspection” technologies and the implications for consumer privacy.

And the House has already passed my bill (HR 3919) to increase broadband data collection and establish mapping of broadband infrastructure nationally, which is pending in the Senate, and Congress is poised to enact legislation as early as this afternoon on enhanced 911 service for VOIP providers.

I am still working on draft legislation on a national set of consumer protection standards for wireless service, a draft which also includes the protection of the right of local municipalities to offer broadband service and other telecommunications services. Moreover, I remain committed to pressing for progress in establishing national policy with respect to Internet freedoms for consumers and entrepreneurs with network neutrality principles in the context of the bill (HR 5353) that I have introduced with Representative Chip Pickering (R-MS) on this subject.

And yesterday, I introduced H.R. 6320, the “21st Century Communications and Video Accessibility Act,” along with Representative Heather Wilson (R-NM), a bill designed to ensure access to telecommunications products and services by individuals with disabilities.

The proliferation of digital technologies, meshed with broadband access to the Internet, is driving further innovation across communications markets. As these changes challenged industries and spawned new services and markets, various industries have lamented over recent years that Congress and the Federal Communications Commission (FCC) simply cannot keep pace. They repeatedly assert that our nation's laws and regulations are antiquated. They have successfully pressed for changes, and continue to push for additional ones, in various laws and regulations to reflect new technology and new competition.

"Hurry up," they say. "Get on with changing all of these old regulations." "Quickly update our communications laws."

However, when it comes to updating our laws and ensuring access for individuals with disabilities, we seem to be hearing a different story from the industry.

"Slow down," they say. "Not so fast." "Shouldn't we wait and see where technology is going first before we start updating regulations?"

This is not to say that companies in various fields have not made efforts. Progress in ensuring that communications technologies serve the needs of individuals with disabilities is evident in several products and services offered by many companies, including Apple, Sun Microsystems, Time Warner, Adobe, Microsoft, and other high tech, wireline and wireless providers. And as our population ages, there will be more of us who will inevitably benefit from these efforts.

The fact is that the new technologies and services in themselves are neither good nor bad, they only become so when we animate such technologies with the human values that reflect the best of what we are as a society. In other words, the wizardry of the wires and the sophistication of the software programs do little for those who cannot affordably access or effectively use them. The task before us is to help ensure such affordable access and utilization and this is what the legislation I have introduced yesterday is intended to do. I intend to push hard for this bill because even though the technologies and marketplace may change, the values we seek to instill are immutable.

Another immutable principle, which the Subcommittee will examine next Tuesday is the principle of universal service. That principle – along with diversity and localism – has been a hallmark of telecommunications policy for decades.

The Commission has a variety of tools to achieve universal service. It can be achieved and promoted through competition policy, franchising policy, wireless policy – through both competition and build-out requirements, and through mechanisms developed under the law to support subsidies for various universal service funds – be they for rural high cost, for schools and libraries, the Lifeline and Linkup programs, or rural telemedicine.

In analyzing the principle of universal service for the future, I believe it is important to consider the ongoing transition to an Internet-based communications platform, the rise of VOIP services, and the proliferation of wireless use among consumers.

The Telecommunications and the Internet Subcommittee has held several hearings over the last year that highlight that communications increasingly involves a convergence of voice, data, and video communications onto various broadband platforms. This renders traditional voice telephone service merely one application of many provided over a broadband connection.

This convergence is also blurring the traditional dividing lines between interstate and intrastate traffic. Moreover, the rapid growth of wireless use for both voice and data service, is another factor that will shape the discussion about how to craft the universal service policy for the future.

But the hearing that we will start with is designed to be an “acronym-free” zone. Rather than jumping right into debates about “ETC status” or the “identical support rule” or “reverse auctions” or whether we should adopt a “connections-based” or “numbers-based” methodology, the hearing process will begin where it properly should: with the consumer or end-user perspective.

Before we craft long-term “solutions” I believe it is important to hear and discuss why we do any of this at all and examine questions such as why, for whom, for what, by whom, and at what expense?

We will focus upon urban consumers, economically-distressed areas, rural consumers, high-cost areas, and what universal services means and should be for educational purposes, for health care purposes, how to determine and ensure affordability of supported services, and how broadband will factor into these programs going forward.

Testifying on Tuesday, we have Rey Ramsey, the CEO of One Economy Corporation, which is a global nonprofit organization that uses innovative approaches to deliver the power of broadband technology and information to low-income people, Jane Patterson of E-NC, a North Carolina state-chartered organization that focuses upon building economic prosperity in all parts of the State through the promotion of a broadband infrastructure, Charles Sullivan, the Executive Director of CURE, an organization that battles for affordability for phone service in the prisons, Randy May, from the Free State foundation, who has written widely on universal service, and finally, George Lucas, Chairman of the George Lucas Educational Foundation.

Beyond making Star Wars movies and Indiana Jones hit flicks, George Lucas has been an early and effective advocate for affordable telecommunications access for educational purposes. In fact, in 1993 we had lunch and discussed ideas that led to the inclusion of what would later become the E-Rate program in the 1994 Telecommunications bill, which passed the House, but died in the Senate that year. We are eager to hear his testimony about how universal service should be updated for educational purposes next Tuesday.

Again, I want to thank all of you for hosting me today, and as always I look forward to the ongoing policy discussions and debates with all of you in the months ahead.

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