

Statement of FCC Commissioner Mignon L. Clyburn
House Subcommittee on Communications and Technology
Committee on Energy and Commerce
Oversight of the Federal Communications Commission
Tuesday, July 10th, 2012

Good morning Chairman Walden, Ranking Member Eshoo, and Members of the Committee.

I am grateful for the opportunity to testify before you today, and to discuss the collaborative and inclusive decision-making process the Commission has adopted in issuing rulemakings and setting policies to create a foundation for innovation in the communications marketplace.

I intend to remain fully engaged in transparent and open discussions, for the Commission recognizes that it is important that we work hand-in-hand with Congress on issues vital to fostering a vibrant and dynamic communications marketplace. We all share the common goal of promoting robust competition throughout all communications industry sectors, and by continuing this dialogue between the Commission, Congress, and all stakeholders, we are on the path towards achieving this goal.

The ideal marketplace consists of many viable competitors, constantly innovating and challenging one another in offering products and services to all consumers. However, today's reality is far from this utopian ideal.

There are still times where the communications ecosystem fails to properly address current, key consumer interests. And when that occurs, the Federal Communications Commission is charged with playing a vital role, one that necessitates striking the delicate balance between two equally important considerations: the protection and service of consumers and the provision of necessary tools and guidance for businesses. In keeping with this spirit, the Commission has created regulations and guidelines that allow businesses to thrive and compete in an international marketplace while ensuring that basic consumer protections are in place.

Under the leadership of Chairman Genachowski, the FCC has worked collaboratively with all stakeholders in crafting policies and solutions in response to industry concerns. While we encourage industry to come up with voluntary solutions that will give the marketplace greater flexibility to respond to evolving consumer needs, we must recognize that this will not always be the case. In some instances, the Commission is justified in adopting smart, targeted regulations when necessary to promote meaningful competition in order to ensure that basic protections are in place. And even in instances where the Commission must codify regulations, we make sure that lines of communication remain open, and implement waiver procedures so that we can evaluate the unique circumstances of industry participants on a case-by-case basis. We also work with industry participants to ensure that any regulatory changes will be gradual and provide ample time and opportunity for participants to voice their concerns.

Last October, the Commission adopted reforms to the Universal Service Fund to update the Fund to meet modern day realities and put it on a more sustainable path. More Americans are using mobile services today than ever before, and broadband access is now the gateway by which most Americans obtain critical information and services. The Fund needed to be updated to reflect these realities.

The reforms that we adopted will promote significant broadband deployment, as quickly as possible, to millions of unserved consumers in our nation over the next six years. Importantly, our reform carefully balances the need for certainty and predictability for carriers by avoiding flash cuts and providing transitions so they can adjust to the changes.

I strongly believe that in telecommunications sectors, the most efficient progress is made when industry, public interest advocates, government, and all other stakeholders join hands and work together. As with USF reform, another example of this type of collaboration is reflected in recent Commission action to spur the creation of new Medical Body Area Network, or MBAN, devices. GE, Phillips, and the Aerospace and Flight Test Radio Coordinating Council (AFTRCC), presented a Joint Proposal to the Commission, detailing the potential of MBANs and identifying ways in which the Commission could go about making it a reality.

These devices, which are about the size and shape of a Band-Aid, are going to revolutionize health care. They are disposable, low-cost inventions that send signals to a nearby information aggregation device by way of a low-power radio transmitter, and will allow hospitals to monitor patient vital signs, such as heart rate and blood pressure levels, without all the wires and cables that tether a patient to machines. These devices should also attract capital investment and spur business development and job creation, as the health care profession and the wireless industry again join forces in deploying MBANs nationwide. This is a stellar example of innovation and advancement that can occur when industry and government work collaboratively.

At the FCC, we are also committed to advocating for the equal provision of communications services to all Americans. In addition to expanding sustainable broadband service to rural and underserved Americans, the FCC is also tackling access issues affecting Americans with disabilities. Congress paved the way for the Commission's advocacy of these issues by enacting the 21st Century Communications and Video Accessibility Act. The implementation of this Act is a high priority for the Commission and for my office.

Under the CVAA, there are two initiatives that will come into effect this month that I am especially excited about. The first is video description on television programming, which will allow blind or visually impaired viewers to more fully benefit from TV shows. For now, some channels on broadcast stations in the top 25 markets and cable and satellite systems with 50,000 or more subscribers will offer about four hours a week of the new service. However, this is only the beginning, and the number of stations and hours will gradually increase.

Also set to launch this month is the National Deaf-Blind Equipment Distribution Program (NDBEDP). This Program provides funding for up to \$10 million annually for the local distribution of communications equipment to low-income individuals who are deaf-blind. The CVAA set the course for the Commission to adopt rules, such as the NDBEDP, to work towards

providing access to vital communications services for those who were previously denied. This represents an important move towards ensuring that individuals who are deaf-blind are able to fully utilize our nation's communications systems, and I will continue working towards achieving this critical goal.

I am grateful for the opportunity to speak today, and I look forward to answering any questions you may have on how the FCC can continue to promote greater access to communications technologies and services for all Americans. Thank you.

**Summary of Statement of
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SUMMARY

- The Commission works collaboratively and inclusively in issuing rulemakings and setting policies for innovation in the telecommunications marketplace. The Congress and the Commission share a common goal of promoting robust competition throughout all communications industry sectors.
- The work of the Commission provides certainty and stability to businesses and addresses the needs of consumers when the communications marketplace fails.
- The Commission encourages industry to self-regulate before formal rulemaking procedures are initiated. The Commission is committed to involving the communications industry in an open dialogue when we do adopt new rules.
- The Commission adopted reforms to the Universal Service Fund to update the Fund to meet modern day realities and put it on a more sustainable path.
- An example of recent industry and Commission collaboration is the allocation of spectrum for new Medical Body Area Network devices. These devices have already attracted investments from GE and Phillips and should attract additional capital investment and spur business development and job creation.
- We continue to implement Congress's directive to ensure the equal provision of telecommunications services to Americans with disabilities under the 21st Century Communications and Video Accessibility Act. Two initiatives under the

CVAA coming into effect this month relate to video descriptions and the National Deaf-Blind Equipment Distribution Program.