

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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October 6, 2017

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Chairman Pai:

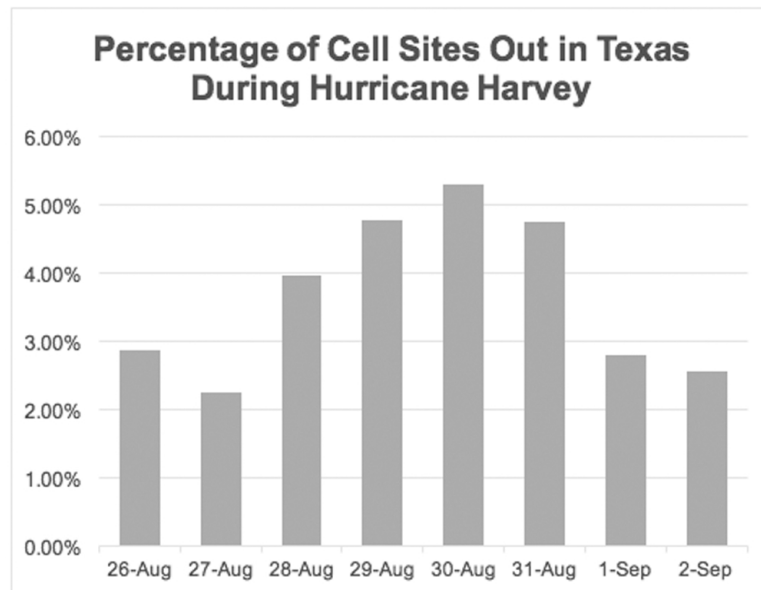
In the wake of hurricanes Harvey, Irma, and Maria, I write to urge you to conduct a Commission-level review of the resiliency of our nation's networks and the effect of the Wireless Network Resiliency Cooperative Framework following restoration efforts. Keeping our communications networks operational is critical. During natural disasters, people depend on our networks to call for help, monitor the status of loved ones, and coordinate restoration efforts afterward. And while much has been done to strengthen the resiliency of these networks, more is clearly needed. Even one dropped call in an emergency is too many.

One such recent effort to strengthen our networks is the Wireless Network Resiliency Cooperative Framework, which was the result of an agreement I struck with the wireless industry last year. As part of the Framework, wireless industry leaders committed to me to develop a central plan to improve disaster preparedness and response.¹ The Framework also includes requirements for making roaming and mutual aid arrangements available during a disaster so that consumers can be connected even when their own provider is down. Among other things, the Framework also allows the Federal Communications Commission (FCC) to publish wireless network outage data during disasters to give the public and officials a snapshot of the problematic areas.

Given the recent active hurricane season, the FCC has an obligation to review the state of our communications systems, the resilience of our 911 systems, and whether the Framework lives up to its potential. As part of this general review, the FCC should make use of the

¹ Letter from Joan Marsh, AT&T Services, Inc.; Scott Bergmann, CTIA; Charles McKee, Sprint; Steve Sharkey, T-Mobile; Grant Spellmeyer, US Cellular; William H. Johnson, Verizon to Marlene H. Dortch, Secretary, Federal Communications Commission, (Apr. 27, 2016) (www.ctia.org/docs/default-source/fcc-filings/160427-final-network-resiliency-commitment-letter.pdf).

Framework's data to isolate the root causes of network outages. Policymakers need a better appreciation of which methods have worked and which have not to ensure we improve our future restoration efforts. Such an analysis would pay dividends. For example, after reviewing the Hurricane Harvey data made available by the Framework, it appears mobile network outages spiked on the third day following the storm.



These data are consistent with what I heard from wireless carriers, broadcasters, and cable operators during and after Hurricane Sandy tore through the northeast—that rebound outages result when network operators do not receive priority access to disaster zones to refuel the networks' backup generators. While I hope that Congress will pass my bill—the Securing Access to Networks in Disasters Act (the SANDy Act) soon, the Commission cannot rest in its efforts improve our communications systems.

A Commission-level evaluation will also help inform Congress and public safety officials about other places where we need to improve. For instance, following Hurricane Irma's landfall in Florida, Senators Nelson and Rubio used data from the Framework to identify where communications systems were down, allowing them to request that the Federal Emergency Management Agency prioritize efforts in those areas.² Additionally, I have been told that public safety officials have used the data provided by the Framework to help them assess the situation in their jurisdictions during disasters. On the other hand, I have also heard that some officials are unaware of these data. The FCC should therefore assess whether the Commission is doing

² Letter from Senators Bill Nelson and Marco Rubio to William B. Long, Administrator, Federal Emergency Management Agency (Sept. 12, 2017) (www.rubio.senate.gov/public/_cache/files/1bbdee62-c638-4b46-ac65-511b863c3236/E3CBA04DA03B8D1556234836DF6CD009.09.12.17-bn-mr-letter-to-fema-re-cell-service-assistance.pdf).

enough to make sure local officials are aware and taking advantage of the data made public under the Framework.

The Commission should also include an analysis of the effect of these disasters on 911 infrastructure. According to reports, numerous 9-1-1 call centers—or public safety answering points (PSAPs)—suffered outages in the wake of hurricanes Harvey, Irma, and Maria. The Commission must work to better understand what caused these outages and to ensure that call centers, carriers, their vendors, and the relevant 9-1-1 service providers are doing all they can to keep 9-1-1 functioning during a disaster.

Finally, my constituents better understood the effects of Hurricane Sandy on communications network in New Jersey when the full Commission held a field hearing near the site of the disaster after the storm. This hearing provided critical information about how to improve our systems and make them more resilient going forward. After restoration efforts have concluded, I urge you to consider using the field hearing in New Jersey as a model for how you can help the public better understand the outages caused by hurricanes Harvey, Irma, and Maria.

For those reasons, I urge the Commission to begin an evaluation of the resiliency of our nation's networks, in light of recent efforts, to understand what more can be done. As part of this review, I urge the Commission to:

- (1) Review how it can ensure the Wireless Network Resiliency Cooperative Framework is as effective as possible, including better informing public safety officials about the Framework;
- (2) Evaluate all of the data available to the Commission to better understand the root cause of wireless and wireline outages;
- (3) Evaluate all of the data available to the Commission to better understand the root causes of outages among PSAPs and relevant public safety service providers;
- (4) Review the effects recent disasters have had on our communications networks to identify what worked, what did not, and where we can improve;
- (5) Conduct field hearings to uncover what led to the outages caused by recent hurricanes and how the Commission can respond; and
- (6) Evaluate the potential options available to the Commission to address issues raised during its review.

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Your assistance in this matter is greatly appreciated, and I look forward to receiving a response by October 27, 2017. If you have any questions, please contact the Democratic Committee staff at (202) 225-3641.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." The signature is fluid and cursive, with the first name "Frank" being the most prominent.

Frank Pallone, Jr.
Ranking Member

Cc: The Honorable Mignon Clyburn, Commissioner
The Honorable Michael O'Rielly, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Brendan Carr, Commissioner