

**Opening Statement
of
Kevin J. Martin**

Nominee, Member of the Federal Communications Commission

**Before the
Committee on Commerce, Science and Transportation
United States Senate**

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Thank you, Mr. Chairman and members of the Committee, it is a great privilege to have the opportunity to appear before you today.

I am honored to have been nominated by the President to be a member of the Federal Communications Commission. I had the distinct pleasure of serving at the FCC as a legal advisor just a few years ago, and prior to that practiced before the Commission. I have the utmost respect for the agency—its mission, its staff, and certainly its new Chairman, who has brought great energy and leadership to the FCC. I am humbled, but truly excited, by the prospect of serving at this important agency in an era of such extraordinary innovation and change in the communications sector. And I sincerely thank President Bush for believing I could make a valuable contribution.

Over the past several weeks, I have met with many of you to discuss your thoughts about the Commission—what it is doing well, and where it should improve. I very much appreciate the time that you have spent with me talking about the FCC and communications policy. If confirmed, I look forward to continuing to hear from you. I recognize that the FCC is a creation of Congress, and its highest priority is to implement the will of Congress.

It is news to no one here that these are times of unprecedented opportunity, yet also daunting challenge, in our telecommunications and information industries. We are witnessing the digitalization of communications, the dawning age of broadband, and the

harvesting of new, more efficient uses of spectrum. In turn, business models are in flux as technologies converge, existing markets merge, and new markets are created. And all this occurs against a backdrop of unpredictable consumer demand, protracted legal uncertainty, and, of late, both shrinking capital markets and growing investor apprehension.

The pieces of the puzzle are many, and their successful resolution will be critical to the health of our economy and the welfare of our people. New advanced services hold the promise of changing the way Americans communicate, learn, work, socialize, and entertain themselves. Fulfilling that promise will depend, in part, on decisions made by the FCC. Not surprisingly, however, the same factors that have injected such complexity into the marketplace also have created significant policy challenges for the Commission. Over the course of the coming years, the FCC will need to resolve key issues such as:

- How to apply distinct regulatory regimes to converging technologies;
- How to do so in a manner that fosters vigorous competition in these rapidly changing markets;
- How to manage spectrum with optimal efficiency as new technologies are developed and markets become ever more global; and
- How to facilitate the deployment of new services while advancing the goal of universal service—that no American be left out of the technological revolution sweeping the country.

These are weighty tasks, but tasks that I would approach with enthusiasm, dedication, and an open mind.

If confirmed, I look forward to working closely with Congress, with Chairman Powell, and with my fellow commissioners to tackle these issues and, in so doing, help administer the policies that will

guide this vibrant industry so vital to our national economy and the American people we are entrusted to serve.

Again, thank you for inviting me here today. I look forward to answering any questions.