

Statement of FCC Commissioner Mignon L. Clyburn
Committee on Commerce, Science, and Transportation
United States Senate
Tuesday, December 4, 2012

Chairman Rockefeller, Senator Hutchison, and distinguished members of the committee, good afternoon and thank you for the incredible privilege afforded to me through today's exchange. It is hard to believe that more than three years have passed between my initial appearance and now.

In that time, the FCC has undertaken some of the most significant policy issues in its history, and I believe the American public is better off as a result. While it is true that the Commission has been diligent promoting deployment and adoption of communications services since 2009, it could very well pale in comparison to what the agency must do in order to adapt to the changing consumer trends and the technological advances and innovations sure to continue. Case in point: When I first sat before you in 2009, believe it or not, tablet devices had not even been introduced to the U. S. consumer. And now, according to the most recent data for this year, 22 percent of American adults own such a device. That amount has doubled from 11 percent in 2011. Today, more people are relying on mobile broadband than ever before.

With the communications industry evolving at such a rapid pace, I firmly believe that no matter what comes before the Commission in the months and years ahead, we must ensure that the agency stays true to those basic, core principles laid out in the Communications Act: Consumer protection, effective competition, and public safety.

We run a process at the Federal Communications Commission that allows for numerous opportunities for public comment. This is designed to ensure that we never lose sight of our core tenets. From initial Notice to final Order, the FCC seeks, welcomes, and considers ideas and critiques from individuals and large entities alike. Such input is essential and offers the average American and the most connected CEO a seat at the table. Our framework affords everyone an opportunity to participate in our deliberations and ensures that attorneys, specialists, and well-heeled consultants are not the only ones who have access to our regulatory process. This openness is paramount to our mission.

I have enjoyed being a part of this engagement, as it has allowed me to hear and absorb first-hand how the votes I cast and decisions I make can help or potentially hurt, the communications landscape of America. My door is open to all, and while at times that can lead to an overwhelming calendar, the meetings I have with outside parties are the most rewarding and intellectually-stimulating aspects of my current role. At one moment I may hear from disabled advocates requesting parity when it comes to accessibility concerns, and the next engage in discussions on new types of medical services, such as Medical Body Area Networks, which may improve treatment for seriously ill patients.

One-sixth of the American economy can be directly linked to the industries the FCC regulates, and through smart communications policies, we play a large part in stimulating investment, promoting innovation, and encouraging job creation. For example, we have

provided significant Commission resources promoting broadband deployment and adoption by modifying current policies and implementing new ones. And I am proud that almost all of this work has been done on a bipartisan basis. I am also thankful for the Commission's dedicated public servants, whose hard work and sage advice enable us to achieve the best results for the American people.

The FCC is able to be heard here and outside of Washington because funding from Congress allows us to better serve our citizens. I am grateful to all of you for that. I have had the opportunity to participate with some of you in town halls and other meetings in your respective states. Those exchanges not only give us a sense of how our policies are being received outside of the beltway, but they help to put a public face on an agency that at times, receives more criticism than praise, in large part, because there are too few opportunities for public interaction. I wish this were not so, as in recent years the FCC has done much to improve communication opportunities for many, including those with disabilities.

I am extremely proud of the work that we have done for citizens who so often struggle for equitable access to services and adequate devices. In 2010, Congress wisely provided the Commission with an incredible, bipartisan tool: The 21st Communications and Video Accessibility Act – and we have worked quickly to enact its provisions. For example, the Commission is implementing rules that require certain video programming devices to be capable of displaying closed captioning. We have also promulgated new rules regarding captioning and full-length video programming, deeming that when a captioned TV program is re-shown on the Internet in segments, it must be captioned if substantial portions of the entire program are shown in those segments. This is a prime example of streamlined, efficient, and bipartisan support and good faith dealing between the Commission and industry, resulting in consumer benefits that were long overdue and greatly needed.

In February of this year, Congress passed another historic piece of legislation by enacting the spectrum management and public safety provisions of the Middle Class Tax Relief and Job Creation Act of 2012. We plan to comply faithfully with both the language and spirit of that statute.

In the Chairman's strategic plan, one of the outlined goals states that a competitive framework for communication services should foster innovation while offering consumers reliable and meaningful choice in affordable services. We have sought to promote such competition through our efforts on interoperability in the lower 700 MHz band, the TV White Spaces proceeding, amending Wireless Communications Service rules to provide 30 megahertz of spectrum for mobile broadband service, enabling greater use of microwave licenses for wireless backhaul in rural areas, and the data roaming rules. And I am proud to say that the American communications ecosystem is better for it.

In addition, I believe that our reforms on universal service center on consumers—ensuring that more Americans have access to both telephone and broadband service than under our previous system. And consistent with the goals of the Act, we are working hard to ensure that there is no rural/urban divide and that we do not favor one technology over another, by

recognizing the importance of both fixed and mobile broadband and allocating funding for both types of services in high-cost areas.

When Congress created the FCC in 1934, it made one of the Commission's foundational obligations "the promotion of safety of life and property through the use of wire and radio communications." The devastation and service outages caused by Derecho and Super Storm Sandy show that obligation remains as vital today as it did almost eighty years ago. We may not be able to prevent natural disasters, but we can and must improve our Nation's ability to respond in such crises. It is essential, particularly in times of major emergencies such as during and after a natural disaster, that communications networks keep us connected to each other and to the emergency help that we may need. I want to recognize the dedicated FCC Commissioners and staff who worked hard during and after the storm, to assist providers and consumers in getting our communication networks back up and running.

It has been a privilege to serve as a Federal Communications Commissioner for the past three and one half years. I am honored to appear before you today for further consideration and look forward to any questions you may have. Thank you.