

Opening Statement of Ranking Member Roger F. Wicker
Senate Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Media, and Broadband
Hearing on Oversight of the National Telecommunications and Information
Administration
June 9, 2022
(As Prepared for Delivery)

Good morning. Thank you, Senator Luján and Senator Thune, for convening this important hearing.

I am pleased to welcome Assistant Secretary Alan Davidson back to the Commerce Committee today. It has been a long time since we had a Senate-confirmed head of the National Telecommunications and Information Administration (NTIA), and I am glad we have one now and are able to resume these hearings.

NTIA advises the President on telecommunications policy, both domestic and international. It is responsible for a range of important activities, which include administration of broadband grants, federal spectrum management, participation in international telecommunications forums, and development of Administration policy on issues like privacy, copyright, and cybersecurity.

Congress recently gave NTIA a significant task: administering \$48.2 billion to close the digital divide. The majority of that money – \$42.45 billion – will go to states to award funding for broadband providers to deploy broadband in unserved and underserved communities. The remainder will go toward expanding broadband deployment on Tribal lands, promoting digital equity and capacity, and developing middle-mile networks.

It is vital that NTIA carefully administer these programs to ensure they achieve their intended purposes. Past NTIA efforts have wasted precious tax dollars overbuilding existing networks while doing little to expand broadband to unserved communities. We cannot repeat these mistakes.

Last month, NTIA released its Notice of Funding Opportunity for three of these programs, including the broadband deployment program. I am encouraged by the

inclusion of some specific provisions, such as requiring states to use the FCC's updated broadband maps when awarding funds, and encouraging states to streamline their permitting processes for accessing poles and rights of way. These provisions should help prevent overbuilding while making deployment cheaper and faster.

However, I am concerned by other provisions, which I fear could undermine the program's success. First, NTIA is unclear on whether it will wait for the FCC to resolve challenges to its maps before allocating funds to states. This could cause some states to get more money than they need at the expense of others. Next, NTIA fails to take a technology-neutral approach to deployment, which could increase costs in some areas. NTIA also prioritizes government-run broadband networks, as well as other "non-traditional" providers that lack a record of successful deployments. Further, NTIA requires states to develop middle class affordability plans, which the agency does not define and could lead to rate regulation by states. Finally, NTIA adopts a number of other unnecessary requirements, particularly on labor and climate, which will increase the burdens on states and providers.

I look forward to discussing this program with Assistant Secretary Davidson. I am especially interested in hearing why NTIA made certain choices in developing its Notice of Funding Opportunity and how the agency thinks this program, as structured, will help bridge the digital divide.

NTIA also manages federal spectrum use. This role includes identifying ways to make federal spectrum use more efficient, with the goal of making additional spectrum available for commercial use – an important task as we try to promote continued investment in next-generation networks. But disputes between federal agencies and the Federal Communications Commission (FCC) over spectrum have become prevalent in recent years.

I welcomed the new Spectrum Coordination Initiative between NTIA and the FCC, which was announced in February, and I hope Assistant Secretary Davidson will discuss how this endeavor will promote more efficient and effective spectrum management policies for federal and non-federal users.

Finally, Congress has not reauthorized NTIA in decades. The last reauthorization occurred in 1992, when key components of the current NTIA portfolio, like internet governance and cybersecurity, were not prevalent or even in existence. It is time for Congress to do a comprehensive review of NTIA's structure and

responsibilities to ensure it is equipped for our digital age. Last fall, I joined Senator Thune in introducing the NTIA Reauthorization and Reform Act. I look forward to hearing Assistant Secretary Davidson's views on this legislation and learning what additional tools NTIA needs from Congress to fulfil its mission.

I thank Assistant Secretary Davidson for his testimony. And with that, I will turn back to Senator Luján.