REMARKS OF
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SIA/SBCA FOLGER LIBRARY DINNER
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Thank you for the very cordial introduction and for having me here tonight in this wonderful setting and with this particularly distinguished audience. If the Folger itself isn't enough to intimidate a speaker, the head table surely is. I feel humbled. Let me begin by thanking SIA and SBCA for all the great work they do in Washington. Sometimes it isn't easy explaining the world of satellites to Washington. I guess the only thing more difficult is explaining Washington to the satellite industry—and doing it with a straight face! For finding common ground, and for working to bring these two different worlds together, we thank SIA and SBCA.

I also want to congratulate the satellite industry on its growth this year. Never start off a speech with numbers, they say, but your numbers are telling a story of success. Satellite industry revenues are over $90 billion; satellite services revenues have grown to $56; and ground equipment is around $22 billion. That's real money, and, even better, the trend has been upward for a decade. DBS, with over 23 million subscribers, now accounts for around a quarter of multi-video program subscriptions—MVPD being a fancy way of saying you get your TV in ways other than rabbit ears. And satellite radio has amazed everyone.

We now have approximately 250 operational commercial geosynchronous satellites in use, with 50 scheduled to be launched over the next three years.   And mobile satellite services are a growing presence. Satellites are critical to rural America, both for the delivery of multi-channel video and audio and for telecommunications, as anyone who visits States like Alaska and Hawaii knows well. Their potential to help bring broadband to remote areas of the country is very real and very promising, and it should command the ongoing attention of policy-makers.

Put it all together and you're tempted to say the sky's the limit . . . but when you think about it, the sky is actually nowhere near the limit when we're talking about satellites! I am a true believer in satellites and the satellite industry. I have been, I guess, since those heady but challenging days of the late 1950s as we raced to be first in space. I remember very well the shock of Sputnik—I still have my original newspaper from the day after the Russian launch back in 1957. But I also remember standing on the roof of a hotel in St. Petersburg, Florida, not many months after that and watching the flame from one of our early U.S. satellite launches. You know, sometimes I wonder how we let the excitement of those early days—the romance of it all—slip away. Satellites ought to seem that special to Americans today, but some of that mystique has passed. We need to recover it. Hubble of course attracted attention, but people seldom paused to see it as a satellite—it's just some kind of orbiting telescope. And we're just going to let that obsolesce away anyhow. Free piece of advice: Public relations is important to the continued growth of your industry. People need to understand the connections between the services they are getting and something called the "satellite industry." You have an

amazing story to tell, full of technological triumph and wonder, and we all need to be reminded and re-inspired by it. But—that's not the subject of my remarks tonight. Plus trying to wax eloquent with tales of triumph and wonder in the Folger Shakespeare Library is probably not a good idea for a government regulator.

I want to focus on another area where satellites play a central role, and wherein I hope they will play a significantly larger role. I am talking about homeland security and public safety – something leaders like General Clark and Admiral Ellis understand so well. I appreciate the critical role satellites are already fulfilling with our government using satellites as primary communications systems and to back-up other critical communications and to provide diversity and redundancy. Over 80% of federal agencies are using satellites to communicate, from FEMA to the Coast Guard to our customs and border control agents. With satellites, our communications infrastructure is more resilient and more difficult to undermine. And this doesn't just apply to government communications. There's a reason why critical industries like finance, banking, oil and gas rely on satellites.

The list goes on. GPS is there for public safety dispatch, search and rescue, air traffic control, E911, and the transportation industry, not to mention the role it plays for the military. Satellite remote sensing services support pipeline monitoring, forest fire protection, and homeland security operations. And NOAA's environmental satellite systems are part of the backbone of our global weather monitoring system, which is critical to our military and to emergency weather preparedness and response. These satellites even carry search and rescue instruments that have helped save the lives of some 10,000 people.

All of this is why Congress in the Homeland Security Act found that "satellite communication infrastructure is critical national infrastructure." And it is why the 2004 NSTAC Satellite Task Force Report to the President found that the "commercial satellite industry is critical to our national, economic, and homeland security."

Count me as one of those who believes that satellites can do even more for homeland security and public safety. The ubiquity of their coverage and the diversity and redundancy that they offer make them promising tools for solving some of our toughest problems.

You in this audience are the satellite experts. You know, far more than I do, how to apply the power of satellites to the challenges we face. But understand how urgently we need your help. And help make others understand this. We need your help overcoming huge homeland security and public safety challenges—and we need it now. We need new approaches, new thinking, and we need it in both industry and government. If ever there was an area ripe for creative public-private sector cooperation, here it is!

We just passed the three-and-one-half years mark since our country was attacked by terrorists on that murderous September 11. With this much time past, it's time to pause and take stock—something we should frequently do. It's time to ask ourselves

where we stand in making our country less vulnerable—and to decide where we go from here.

The 9/11 Commission Report that came out last year helps us with both these challenges. *The Report* lays out, in chilling detail, a state of communications unreadiness that seriously inhibited the country's ability to respond on that terrible day. But, three-and-one-half years later, it also lays out a chilling picture of the state of our communications unreadiness today. We've taken important steps, of course—and we should recognize that and be grateful for them—but the bottom line is that we're nowhere near ready for next time. And most serious observers believe it *is* a question of "when" rather than a question of "if." There is so much to do to make sure that our citizens— particularly our first responders and our various levels of government—are able to communicate better when we are attacked again. I think the satellite industry can play an even more important role in addressing *The Report's* challenges. And I think your Federal Communications Commission ought to be playing a more important role, too.

The Report's discussion of communications issues explains how interoperability problems plagued rescue operations in both New York and at the Pentagon, and it stresses how important it is to find ways for strategic decision-makers in different emergency entities, at the municipal, state and federal levels, to talk to each other no matter what the situation. I think that we should explore, much more seriously than we have, whether satellite systems can help to solve this problem. And I mean explore this as a true priority.

Discussing critical infrastructure generally, *The Report* concludes that, despite the lessons of 9/11, America's critical infrastructure remains vulnerable. Industry, *The Report* says, "remains largely unprepared for a terrorist attack." It goes on: "We were… advised that the lack of a widely embraced private-sector preparedness standard was a principal contributing factor to this lack of preparedness."

Where has the FCC been these past three-and-one-half years? What have we done to shore up the problems that have been identified? Well, in that time, the FCC has allocated more spectrum to public safety; begun the process of bringing tools like RFIDs and ITS to the country; struggled with issues like CALEA and 800 MHz; and, of course, begun to implement E911, which largely depends upon the satellite GPS system. We have convened councils with industry. Advisory committees have had meetings and our government partners have begun to reorganize themselves. All fine—but not enough. It is all very much a work in progress. It has already been a long process, but let's always remember that time is no friend when it comes to terrorism. Reorganization tomorrow is not enough. Voluntary best practices—which seems to be the tool of choice right now— are fine, if they are implemented quickly. But untimely implementation may be no protection at all. So when voluntary efforts fail, I believe mandatory implementation may better serve the public interest. We should have learned that with the rules that implemented E911. *The 9/11 Commission Report* minces no words about the lack today of public and private sector readiness for another attack. Homeland security is not business-as-usual or government-as-usual. Meetings, NOIs and draft best practices can

only take us so far. We must be focused on implementing integrated solutions. And our actions need to be part of an overall strategic plan. The safety of the people is always the first obligation of the public servant.

Don't misunderstand me. The FCC is working hard. We have the best people and expertise in government on communications. But that's just the point. This organization should be front-and-center in the action, pushing for interoperability, striving for redundancy, acting as a convener, an expediter and a planning innovator. Indeed, the law instructs the FCC to do just that. Our enabling statute, the Telecommunications Act, confers upon the FCC specific national security responsibility to ensure the safety of our people through the communications networks. So, clearly, the Commission should be fulfilling a central role in all this. The nation's homeland security planning should provide more clarity about where the FCC fits in. I think we fit in at the forefront in developing communications solutions. The country has waited a long time for others to get moving. The GAO states that "a fundamental barrier to successfully addressing interoperable communications problems for public safety has been the lack of effective collaborative, interdisciplinary, and intergovernmental planning." House Government Reform Subcommittee Chairman Christopher Shays has called on the FCC to take a more active role and says it's going to be costly if we don't. There is a void out there to fill, and I believe this agency needs to fill it. We have seen some good progress lately, with the report issued by DHS and the planned inter-agency organization on public safety communications. But we have these FCC resources available and I believe we have an obligation to make fuller use of them.

In addition to working on specific interoperability and redundancy challenges, I would like to see the FCC create an office that focuses exclusively on helping local public safety organizations to share ideas, vet proposals, prepare plans and coordinate them with both government and industry. Why should every jurisdiction have to start at square one when others have already done a lot of work? Think of the time and money this could save. And in the process, let's find out if local and state public safety organizations know enough about the possibilities of satellite? If we lack the resources for the Commission to do these kinds of things, maybe Congress would help us. We won't know unless we ask.

I also think we at the Commission need to affirm in a more tangible way that we are committed to doing our part. Toward this end, I believe that the new Chairman of the Commission should appoint one of his fellow Commissioners specifically to lead the FCC's efforts. You know, the FCC is not even mentioned in *The Report of the 911 Commission*. While some say that's because we're doing what we are supposed to be doing, I would feel better if our efforts had achieved sufficient visibility to at least garner a mention or two in *The Report*. We need a higher profile because the Commission has more to contribute than it has been asked or prodded to do so far. There is precedent for what I propose because this is the structure that Chairman Kennard created when he appointed then-Commissioner Powell to lead our preparation for the Year 2000 Problem. That appointment gave visibility, leadership and priority to the Commission's important role in meeting the Y2K challenge. That is a good and admirable model to follow now.

There is one other homeland security concern we are not adequately addressing, and I just want briefly to mention it. It is how to integrate our hospitals, health centers, and doctors much more closely into the emergency response communications system. If this isn't part of what homeland security communications should be all about, then I don't know what is. I have visited hospitals and emergency responders in big cities and in very small towns, and I have visited with the CDC in Atlanta. All these facilities recognize the importance of fast and reliable communications, especially in the event of a biological attack. But not many hospitals, especially in rural America, have a reliable two-way communications system that allows them to communicate with local and federal law enforcement and emergency personnel in a crisis. Even when they do have dedicated systems, they are seldom redundant, and most are based on the public network, which is unreliable in emergencies, as 9/11 and the more recent East Coast black-out proved. Can you imagine what would happen in a biological attack if our hospitals were unable to communicate with first responders, 9-1-1 call-takers, federal authorities and each other?

The FCC could address this problem and help find a solution. We could play a helpful role just by acting as a facilitator, a convener, or a clearinghouse for ideas—being a place where health care providers can share and vet ideas and talk with one another. As I mentioned with regard to other public safety responders earlier, why should every such facility have to start at square one when they could be building on the lessons learned by others? Wouldn't bringing people and ideas together and sharing experiences save the country both time and money—maybe even a lot of lives? And as we do this, we should consider the role of satellite technologies in connecting our hospitals and rural healthcare providers to the homeland security and public safety communications system. I would think that the strengths of satellite – ubiquity and diversity – would serve this project well. Rural health centers especially might be well served by a satellite-based communications system. I hope you'll help us think about this.

I'm eager to assist, in any way I can, making the FCC a more central part of the solution to each of these homeland security and public safety challenges. And as I've said, I'm eager to see if satellites can play an even more prominent role. But to do this the FCC must first ensure that our present policies don't interfere with the satellite industry's ability to be a powerful homeland security and public safety partner. Unfortunately, we have not done this well in every instance.

For example, the Commission needs to provide more certainty that satellite spectrum will remain satellite spectrum. We also need to guarantee that internationally harmonized spectrum isn't used for other purposes because such harmonization was won only after hard battles. Spectrum is the lifeblood of the satellite business. But, too often, the Commission has sent mixed signals to the satellite industry about the future of spectrum. We have reclaimed satellite spectrum for other purposes and cannibalized internationally harmonized satellite spectrum. This must stop.

We must also work harder on interference issues. We have battle after battle at the FCC over whether a particular licensee is suffering harmful interference or whether a

new service will cause unacceptable new interference if allowed to go forward. But the FCC's rules defining interference are opaque and lead to inconsistent decisions. We have no real standard that explains how we will determine if the benefits of a new service will outweigh the costs of additional interference. And we do not have adequate resources invested in enforcement of our interference rules. Enforcement takes too long and the FCC does not investigate enough problems on its own. All of this leads to considerable uncertainty for satellite companies because they don't know what interference environment they will have to live in. We can and should do better.

Finally, we should work harder internationally to improve the transparency of foreign regulatory regimes and ensure that they are not discriminatory. The FCC's role here is to be a resource partner for emerging regulators across the world and to work with the hard-working teams of Ambassador David Gross at the State Department and Assistant Secretary Mike Gallagher at NTIA. I think the FCC can step up its efforts here, too.

So, there is a lot of work to be done, but I believe we can get it done—if we work together and pull together for the common good. That's always how this country has met its greatest challenges. Your industry already has a storied history, but its best days can still be ahead. Whether we're talking about bringing entertainment into our homes, bringing broadband to our remotest areas, or building security for our nation, satellites are already on the job. But, together, we can develop the ideas and lay the groundwork that will enable this industry and its workers to contribute even more. My door is always open to you, I am looking for ways to deepen our cooperation, I look forward to tackling these challenges together, and I thank you for the honor of being here this evening.