



A Fresh Technology Agenda for Growth, Innovation, & Opportunity



U.S. Senator Deb Fischer

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Our economy is struggling. Foreign competition is fierce. Markets are evolving rapidly. At the same time, consumers want to be empowered. Failure to properly address our technological potential is a losing strategy. That's why policymakers need to proactively confront the challenges before us with new ideas and a fresh vision.

America's future potential for growth, innovation, and opportunity largely depends on the policy frameworks that we adopt. As a member of the U.S. Senate Commerce Committee, I have developed several pro-innovation proposals to help put American consumers and creators ahead:

- Incentivize economic growth and American innovation
- Expand access to communication services
- Embrace technology and modernize outdated rules
- Adopt regulatory humility to transform government
- Champion oversight and transparency



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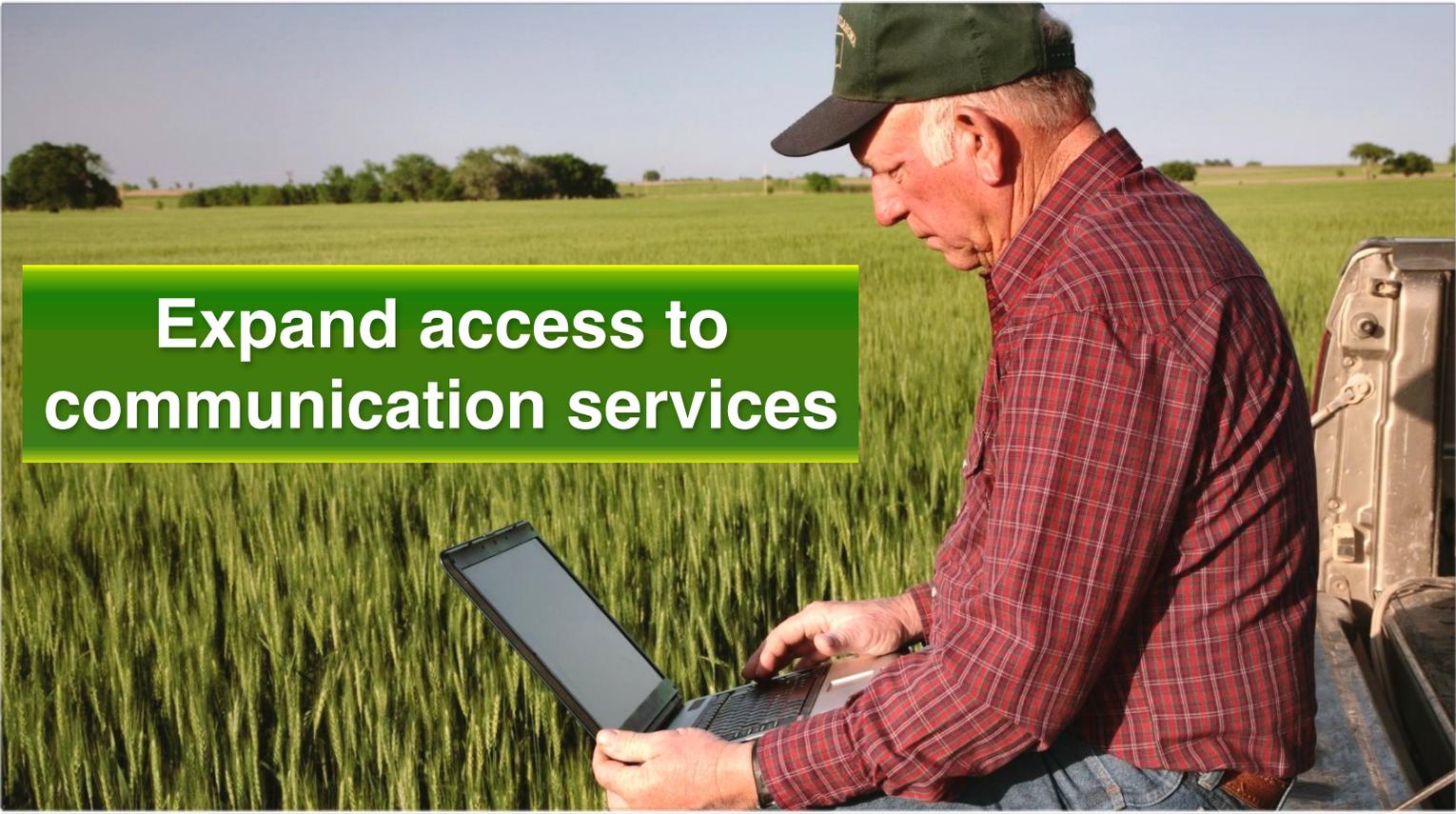
Incentivize economic growth and American innovation

If we don't strive to identify and promote future growth industries, investment and opportunity could go overseas or to sectors that hold less promise. The mobile health and applications market is one such growth area — it's expected to exceed \$26 billion by 2017. The U.S. mobile apps economy is responsible for nearly half a million new American jobs. Yet despite this compelling data, the Food and Drug Administration (FDA) smothers the health IT industry with regulatory uncertainty. The FDA is holding back tech wearables, apps, electronic health records, and scheduling software. The FDA's regulatory footprint has grown beyond its statutory shoe size, frustrating developers and consumers.

If we want a major health breakthrough that lowers costs and improves outcomes, we should incentivize innovators with the certainty they can bring their products to market. Regulating every new product as the FDA suggests — subjecting it to an onerous approval process that can take years and cost millions — prevents revolutionary technologies from entering the marketplace.

Low-risk health IT deserves a modern regulatory regime — one that promotes innovation, supports jobs growth, and protects patient safety. That's why I introduced bipartisan legislation, the *Preventing Regulatory Overreach to Enhance Care Technology (PROTECT) Act*. The *PROTECT Act* would codify the common-sense idea that new technologies shouldn't be tied up with old red tape.

If someone can develop a mobile app that can keep someone out of the hospital, improve lives, or lower costs, we should get government out of the way and spread the knowledge. Congress should send the message that startup innovators don't need costly corporate counsels and D.C. lobbyists to navigate the FDA and open the right political doors. All anyone should need is a good idea and a dream. Until Congress clarifies the FDA's oversight role, we will continue to live in a world where health IT is governed by rules written before the advent of the VCR.



Expand access to communication services

Nebraskans depend on faster broadband Internet and reliable telephone service for commerce, education, news, and other critical purposes. Improving local access to the broadband economy is a high priority of mine in Congress.

We need to give businesses every opportunity to be successful and grow. Unfortunately, that's hard to do when the Federal Communications Commission (FCC) sends businesses the wrong signals, meddles in local affairs, and fails to prioritize how best to improve rural citizens' access to modern networks.

One example is FCC Chairman Tom Wheeler's relentless pursuit of overriding nearly 20 state laws – including Nebraska's – governing how or whether municipalities should deliver you an Internet product. While Washington has an important role to play in helping connect people, it shouldn't micromanage the commercial broadband Internet marketplace. When it comes to investment in the broadband Internet market, I've fought to protect Nebraska taxpayers and to keep the federal government out of our state's sovereign right to govern as it sees best.

A better idea would be to focus resources toward small businesses and help them make easier decisions about how to meet consumer demand for broadband Internet services. To do that I have worked to:

- Eliminate onerous fees that make it cost-prohibitive to bring the Internet to people.
- Make rural call completion a higher priority at the FCC so consumers and businesses can get quality and reliable telephone service.
- Modernize our universal service rules so that providers have more of an incentive to bring broadband Internet service to consumers.
- Allow citizens to see the free, local broadcast channels of their choice. Since almost a third of Nebraska's counties receive out-of-state broadcast channels, I introduced bipartisan legislation called the *Let Our Communities Access Local (LOCAL) TV Act*. It would bring us closer to ensuring that all communities could receive more relevant and local information from Nebraska broadcast outlets.



Embrace technology and modernize outdated rules

The law needs to keep pace with technology. Technology changes rapidly, but our government often misunderstands how best to respond. To empower creators and consumers, we need to modernize obsolete policies that aren't useful or that unfairly block innovation. Government's presumptions need to change — we need to embrace innovation and refocus Washington's priorities.

I introduced the *Helping Innovation and Reviving Entrepreneurship (HIRE) Act* to address this concern.

- The *HIRE Act* promotes opportunities for innovators and individuals by requiring that the FCC approve new technology applications within a year. Improving government's responsiveness to technology applications and license requests helps everyone.

I also introduced the *Enhancing Labeling, Accessing, and Branding of Electronic Licenses (E-LABEL) Act*. The *E-LABEL Act* is a bipartisan idea to modernize federal labeling requirements for electronic devices, such as phones, computers, and tablets. This proposal would:

- Lower device costs for consumers, make regulatory information more accessible, and expand options for manufacturers.
- Save tens of millions of dollars and spur the growing market for the “Internet of Things” – wearable technologies and wireless connectivity products.

We need to build on these proposals, explore broader efficiencies in government, and look for ways to empower people. We should modernize and rationalize our obsolete frameworks. We should seek ways to unleash the private sector and the American entrepreneurial spirit. All of this will undoubtedly require embracing a bold technology agenda focused on spurring growth, innovation, and opportunity.

A photograph of the White House in Washington, D.C., viewed through a decorative, dark metal frame with circular and scrollwork patterns. The White House is white with a prominent portico and columns. An American flag flies on a tall pole in front of the building. The sky is clear and blue. The foreground shows a green lawn and some trees without leaves.

Adopt regulatory humility to transform government

Regulatory overreach crushes job growth and investment. That's why we need to radically transform big government, especially in the telecommunications and technology sectors, where various agencies constantly compete with each other for more control.

One consequence of over-regulation is that it drives up costs of production of everyday consumer products. It also makes us less competitive with foreign manufacturers. We need to ensure regulatory humility takes hold across government. I've stood up to challenge several egregious examples of federal overreach.

- The National Highway Traffic Safety Administration's (NHTSA) plans to regulate mobile technologies under the theory that it's "motor vehicle equipment." NHTSA doesn't have the statutory authority to prescribe the design and features of mobile apps and smartphones, something the agency has recently proposed doing. Such actions lead to costly litigation that increases prices and stifles innovation. That's why I filed an amendment to prevent funding for this kind of misguided regulation — a signal to NHTSA that it should stay in its lane.

- I was the first to stand up to the FCC's attempt to reimpose back-door broadcast speech regulations commonly referred to as the "Fairness Doctrine" or the FCC's "Critical Information Needs" (CIN) Study. This radical proposal would have put unelected Washington bureaucrats in charge of America's newsrooms, a threat to freedom of the press. I led the effort in the U.S. Senate to defeat this terrible proposal. Thankfully, the FCC repealed it.
- Another place we must seek regulatory humility is with the Federal Trade Commission (FTC). I've pushed back on the FTC for its unwarranted investigations and aggressive regulatory treatment toward American technology companies. Likewise, the FCC is contemplating what some call "Title II net neutrality" regulations on the Internet. This utility-style regulatory approach would put Washington between consumers and the Internet with new price controls and mandates. That would depress investment in broadband infrastructure and stifle job growth.

The truth is we need a humbler approach and a lighter regulatory touch across the government.

A glowing lightbulb sits on a green field under a sunset sky. The lightbulb is illuminated from within, casting a soft glow. The background shows a horizon line with a mix of orange, yellow, and blue colors. A blue banner with white text is positioned in the upper right corner.

Champion oversight and transparency

Leadership is lacking when it comes to oversight of federal agencies' actions toward the technology and communications sectors. Government has grown bigger and more powerful. At the same time, Americans have become more frustrated with intrusion and limited accountability. Across the state of Nebraska, I constantly hear from citizens that they expect Congress to exercise stronger oversight. People want to be assured that their limited tax dollars are spent appropriately and that high priorities don't fall by the wayside.

- One such program of critical importance is FirstNet, our nationwide, interoperable, public-safety communications network. FirstNet is a multi-billion dollar effort to create and manage a 21st century emergency communications apparatus as a recommendation of the 9/11 Commission. With public safety and taxpayer money at stake, it is crucial that Congress oversee the implementation of this important new federal program. Americans deserve to know how FirstNet plans to operate.
- Another looming concern for Congress is how to meet consumers' demand for wireless spectrum — the resource wireless phone carriers use to bring faster, more reliable, service to consumers' Internet devices. Congress needs to stay engaged on spectrum issues and work to make sure the FCC administers the upcoming spectrum auction appropriately.
- It's important to ask tough questions and bring transparency to some of the more insular processes of government, such as cybersecurity standards, the operation of healthcare.gov, online privacy, and proposed new international agreements involving the U.S. telecommunications sector.

Oversight in these areas and others will be more necessary than ever as we look for ways to improve and create a better environment for job creation.

Biography

Deb Fischer is a wife, mother, grandmother, and lifelong Nebraskan. Born and raised in Lincoln, Nebraska, Senator Fischer attended the University of Nebraska-Lincoln and graduated with a degree in education. She and her husband, Bruce, have been married for over 40 years and own a ranching business near Valentine. In 2004, Senator Fischer was elected to the Nebraska Unicameral to represent the 43rd Legislative District. During her time in the state legislature, she served as Chair of the Transportation and Telecommunications Committee and was a member of the Revenue Committee, Natural Resources Committee, and the Executive Board.

Fischer was elected to the U.S. Senate in 2012 and came to Washington as an expert on a range of issues, from education policy to complex telecommunications matters. Senator Fischer serves on the Senate Armed Services Committee; the Environment and Public Works Committee; the Commerce, Science, and Transportation Committee; the Small Business Committee; and the Indian Affairs Committee.

