

**SENATE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

Nomination Hearing
Wednesday, April 9, 2025, at 10:15 A.M.

REPUBLICAN QUESTIONS FOR THE RECORD

Ms. Olivia Trusty

COVER PAGE

CHAIRMAN TED CRUZ (R-TX)

1. Many in Congress, including myself, are committed to ensuring broadband connectivity across the country. However, the Universal Service Fund—an annual, multi-billion-dollar program—has operated with minimal oversight or accountability from Congress since its establishment in 1996. This has led to significant mission creep, particularly during the Biden administration with respect to its unlawful expansion of the E-Rate program.

As the “contribution base” has continued to shrink, there have been increasing calls to expand that base—more accurately, to broaden the consumer tax burden—to additional sectors and services. As I stated in my Blueprint for USF Reform, expanding the base alone would not reduce the amount consumers pay but merely change the method of collecting their payments. It would conceal, rather than fix, mission creep and unaccountable spending and undermine incentives for the FCC to lower costs or improve program performance.

Expanding the revenue base before pursuing spending reform also puts the cart before the horse. As you acknowledged at your hearing, there are over 100 different overlapping broadband programs at 15 different federal agencies. As such, before expanding the tax base, it is necessary to examine what the programs themselves are paying for and to what extent they continue to be necessary. Spending reform must precede revenue reform.

Do you agree that reform to root out mission creep and waste, fraud, and abuse must be pursued before revenue reform?

Yes.

2. As we discussed in my office, will you commit not to expand the contribution base beyond clear, current FCC authority without explicit Congressional action to authorize such expansion?

Yes.

SENATOR DAN SULLIVAN (R-AK)

Alaska Connect Fund

1. In Alaska, communications access is critical for our communities, yet the terrain is unlike anywhere else. The weather is extreme. The building season is short. And, the permitting process is challenged by federal land ownership. No other state has so many remote communities that are unconnected from any other infrastructure such as roads or utilities.

Providers face numerous challenges from an abbreviated construction season, to lack of commercial power, to the need to charter flights to conduct maintenance and repairs, and more.

In recognition of Alaska's challenges, the FCC has long recognized the importance of embracing flexible policies for Alaska.

Will you commit to making sure that FCC policies are flexible so that they reflect the unique circumstances facing providers and need to tailor their universal service obligations accordingly?

If confirmed, I commit to working at the FCC to promote policies, including policies that involve universal service obligations, that are flexible and reflect the unique connectivity needs in Alaska.

Outdated Media Ownership Requirements

1. Chairman Carr has called this a "break glass moment for local broadcasting" and has said that he will be looking at the current local broadcast ownership rules and seeing which ones are no longer necessary because of all of the disruption in the media marketplace and the many different ways people consume media.

Updating, and in some cases eliminating these ownership rules, is important for a state like Alaska if we want to continue to receive important local news and information.

I am a strong supporter of local broadcast stations in my home state of Alaska. They provide important news, weather and emergency information to my constituents. These stations and stations across the country face economic challenges today due to market competition. These economic issues can lead to a reduction in their local news coverage, which we've seen in areas of our state.

Ms. Trusty, will you work to ensure that the FCC is pro-active in adopting policies that protect local stations' ability to continue to serve their key role in our communities, including by relaxing ownership rules that were enacted decades ago when the media space looked very different from today?

If confirmed, I commit to promoting policies that protect local stations' ability to continue to serve their key role in communities across this country so that local broadcasters can better compete for viewers, programming, and advertising revenues in today's vibrant and dynamic media and video marketplace.

SENATOR MARSHA BLACKBURN (R-TN)

1. As you know, arrangements requiring musical performers to play at broadcast station events in exchange for airplay—particularly when coupled with threats of reduced airplay for non-compliance—violate the FCC’s payola rules. These rules prohibit broadcasters from making programming decisions based on receiving anything of value without on-air disclosure of such consideration. Last month, after I sent a letter to the FCC, Chairman Carr issued an enforcement advisory addressing complaints that broadcasters are coercing musical artists to perform for free at station events or festivals by threatening to reduce their airplay if they refuse. If confirmed, will you commit to protecting American artists and continued vigilant enforcement of the FCC’s payola rules?

Yes.

SENATOR TODD YOUNG (R-IN)

Undersea Cables

1. As global demand for data capacity grows and geopolitical competition intensifies, undersea cable infrastructure has become increasingly vital to national security, economic competitiveness, and digital resilience.

What is the FCC's plan to support the private sector's increasing demands for greater deployment of subsea infrastructure?

The FCC is actively reviewing subsea cable rules for the first time since 2001 through a notice of proposed rulemaking initiated in November 2024. Information collected through this proceeding will help inform the FCC's next steps pertaining to streamlining the licensing process of subsea cable infrastructure; more efficient coordination with federal agencies regarding subsea cable projects; and enhancing the national security of this critical infrastructure.

2. What gaps do you see in FCC oversight of subsea infrastructure development and usage?

Today the FCC lacks sufficient transparency into the foreign ownership of undersea cable infrastructure development, as well as the security measures that subsea cable operators are implementing to protect this critical infrastructure from sabotage, disruption, or compromise.

3. What can Congress do to better support the FCC's undersea cable efforts?

To support the FCC's undersea cable efforts, Congress could do the following: help promote more U.S.-led undersea cable projects to reduce potential security risks stemming from the foreign ownership of undersea cables; explore the diversification of undersea cable traffic patterns or routes to ensure there is no single point of failure if there is a cable outage due to sabotage or natural disasters; and strengthen disaster recovery and emergency response plans for undersea cables that have been compromised.

NextGen Television Standard

1. Ms. Trusty, two years ago Senator Schatz and I wrote a letter to the FCC that was signed by 26 of our colleagues asking the Commission to expedite the continued rollout of the Next Generation Television Standard, or ATSC 3.0. The current standard, HD, has been around for almost 30 years and the new standard, NextGen, is a pro-consumer, innovative technology that not only provides viewers with much better picture and audio quality but also allows for targeted weather and emergency alerts. Just this week, the FCC invited public comment on a petition for rulemaking on this very issue, underscoring the growing momentum and continued interest in accelerating the modernization of this important technology.

If confirmed, can you commit to working with your colleagues, Congress and industry to ensure the transition to NextGen TV happens expeditiously and in a way that benefits television viewers?

Yes.

FCC International Leadership/Standard Setting

1. The Federal Communications Commission (FCC), alongside other U.S. government agencies, is tasked with ensuring that American interests and values are effectively represented in these forums. Given the strategic importance of emerging technologies like 5G, satellite communications, and cybersecurity standards, U.S. engagement and leadership in global discussions is more important than ever.

How do you view the FCC's role in international standard-setting bodies, and what steps can the Commission take to strengthen U.S. leadership in those forums?

The FCC works in coordination with the State Department and NTIA to ensure that global standards align with U.S. regulatory frameworks and technical priorities to foster more efficient, cost effective and interoperable communications services around the world. To strengthen U.S. leadership in these global forums, the FCC can work with the State Department and NTIA to develop a unified U.S. strategy in advance of global meetings and conferences and support efforts to build coalitions among international allies and partners. This will help ensure the United States is better positioned to counter those seeking to undermine U.S. values and interests in global forums.

2. What are the risks if the U.S. does not actively participate or lead in global standard-setting conversations?

If the U.S. does not actively participate or lead in global standards-setting forums, we risk losing our ability to lead in the development of next-generation communications technologies as well as our ability to lead in emerging technologies, such as artificial intelligence and quantum computing. Maintaining an active U.S. presence in these global forums is foundational to our continued ability to promote human flourishing, economic competitiveness, and national security.

3. How can the FCC better coordinate with other federal agencies, like NTIA or the State Department, to present a unified U.S. position internationally?

Coordination among the FCC, State Department, and NTIA is essential to advancing the United States' economic and national security interests abroad. This coordination can be guided by interagency working groups, memoranda of understanding, or joint strategic plans that define roles, responsibilities, and procedures for coordination and could provide strategic roadmaps for advancing U.S. interests in international forums.

SENATOR JOHN CURTIS (R-UT)

1. Local TV and radio stations are the backbone of our communities. They remain one of the last and best sources of local news in the areas they serve. But these local broadcasters are at risk of being left behind as FCC ownership rules—many of which predate the internet—limit their ability to compete with new forms of news consumption, like social media. **Do you believe the FCC's media ownership rules are still appropriate in today's digital landscape? Why or why not?**

The media marketplace has changed dramatically over the last two decades. This change has been driven largely by technology advancements and changes in consumers preferences. Today, U.S. consumers now have access to a variety of programming options across multiple platforms, which makes for a more personalized television viewing experience.

To ensure that local broadcasters and radio stations can compete and support their vital news gathering operations in the midst of this technological change, the FCC has a responsibility to modernize its regulatory framework to reflect the realities of this vibrant and dynamic media marketplace. Modern rules will better position local broadcasters and radio stations to compete for viewers, advertising revenues, and programming, which can ultimately foster greater investments into local news and investigative journalism in communities across the country.

SENATOR SHELLEY MOORE CAPITO (R-WV)

R-DOF Transparency

1. Miss Trusty, thank you for your willingness to serve on the FCC. I enjoyed our conversation, and as I mentioned I care about the Rural Digital Opportunity Fund. I am looking forward to getting my Rural Broadband Protection Act signed into law, which will improve R-DOF and other programs on the front end, but I have questions about how the program is being carried out right now.

I would like to see a greater level of public reporting, such as state-by-state milestone reports for providers and their committed locations which would provide greater visibility into the progress of the program. This type of reporting would provide assurance that program participants are on track and expected to meet required milestones. Moreover, the FCC could detail its methods for performance testing and verify that service is being delivered as reported.

Can you commit to working to improve transparency in R-DOF?

Yes.

Designated Market Areas

2. I am glad to see the Chairman's "Delete, delete, delete," effort underway. There are lots of burdensome regulations that the FCC should review. One that I have heard about from my state are Designated Market Area requirements for TV providers. Some parts of my state are forced to watch D.C. or Pittsburgh channels rather than West Virginia stations.

Do you agree that D-M-A requirements should be reviewed?

I agree that D-M-A requirements should be reviewed as part of efforts to expand access to local news in West Virginia and other states across the country.

Local Broadcasters

3. Staying on the broadcast topic, West Virginians trust and rely on their local stations more than any other media entity. Chairman Carr has stated that the local broadcast industry is at a "break glass moment."

Do you agree with that, and if so, what do you think can be done to ensure the industry's survival and allow it to better compete with the increasing threats from Big Tech in the marketplace?

I agree with Chairman Carr that the local broadcast industry is at a "break glass moment." To ensure local broadcasters can survive, I believe that the regulatory framework governing the U.S. media and video marketplace needs to be modernized to help broadcasters better compete against Big Tech for viewers, programming, and

advertising revenues. I believe this will help increase localism and diversity, and advance the public interest in the media and video marketplace.

WV Visit

4. West Virginia is unlike any other state in terms of deploying broadband and if confirmed, I would like to host you in the state to get to see some of our challenges first hand.

Can you commit to visiting West Virginia as a member of the FCC with me?

Absolutely. I would be honored to visit West Virginia.