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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
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WASHINGTON, DC 20510-6125

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August 26, 2011

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski,

This week's 5.8 magnitude earthquake on the East Coast was just the most recent example in which many Americans were unable to use a communications network they rely upon for their safety and security. Residents and first responders along the East Coast may again face this problem as they brace for the predicted landfall of Hurricane Irene this weekend. As we are now in the midst of hurricane season, the Federal Communications Commission (FCC) should work to make sure that our nation's communications infrastructure is up to the task. Americans should expect that they can reach their loved ones during an emergency. But our commercial networks are asked to do much more. Because first responders still do not have a nationwide wireless broadband network of their own, they must rely on these same commercial networks if they hope to access any mobile data services, such as text messaging and emails.

Despite being six years from the devastation caused by Hurricane Katrina and ten years from the tragic events of 9/11, we still do not have an interoperable wireless broadband network for public safety. We must not allow any more potentially life-threatening disasters to occur before our nation's first responders get the interoperable public safety communications system they need to keep us safe. And, as the communications troubles following the earthquake reminded us, we cannot require public safety to rely exclusively on commercial networks for their mission-critical, advanced wireless communications needs.

While many people were frustrated by the overloaded commercial networks this week, the stakes of such problems can become a matter of life or death for first responders. Some of the brave men and women who risk their lives every day to protect the rest of us experienced the same inability to communicate following this week's earthquake. In fact, the threat was so serious that the Federal Emergency Management Agency asked members of the public to refrain from making calls on their mobile phones for a period of several hours following the quake so that emergency officials could continue to receive and respond to urgent communications. Many first responders were forced to rely on their voice-only land mobile radios because commercial networks are not reliable for mission-critical services during emergencies. Unfortunately, until

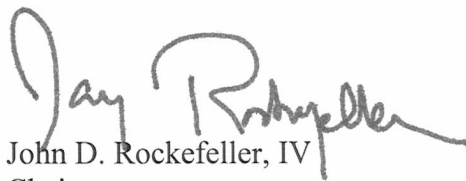
we can provide public safety with the spectrum and funding they need to build a dedicated nationwide interoperable wireless broadband network, our first responders and the Americans who depend on them will be at the mercy of increasingly congested networks for their advanced wireless communications needs.

The commercial network infrastructure has greatly improved in the past decade, but the congestion following Tuesday's earthquake clearly demonstrates the need for more commercial spectrum. In recent years, wireless congestion has sometimes been a problem for consumers even in the best of times, let alone during the worst of times. Indeed, network problems like we saw this week may become even more frequent if the government does not act quickly to make more spectrum available for advanced wireless services.

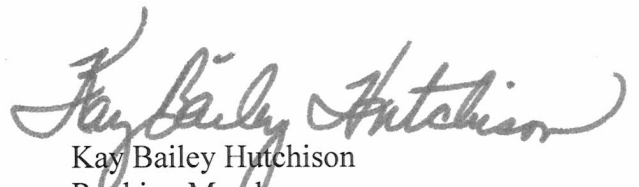
As you know, we are working to address these problems. Earlier this year, we introduced S. 911, the Public Safety Spectrum and Wireless Innovation Act. This bi-partisan measure has the support of our nation's first responders, as well as President Obama and our nation's Governors and mayors. The bill would give our nation's first responders the dedicated spectrum and funding necessary to deploy an interoperable wireless broadband network for public safety use. It would also pump a huge amount of spectrum into the commercial wireless ecosystem. Our bill addresses one of the last outstanding recommendations of the 9/11 Commission, promises to save lives, would create hundreds of thousands of jobs without costing taxpayers a dime, and provides billions for deficit reduction. We will continue to press our colleagues in Congress to approve this measure as soon as possible.

We understand that the FCC is conducting a thorough assessment of the outages associated with this week's earthquake to determine what steps may be appropriate to improve communications services during emergencies. We urge you to complete that analysis as quickly as possible.

Sincerely,



John D. Rockefeller, IV
Chairman
Senate Committee on Commerce,
Science, and Transportation



Kay Bailey Hutchison
Ranking Member
Senate Committee on Commerce,
Science, and Transportation