

United States Senate

December 1, 2023

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Dear Chairwoman Rosenworcel,

We write to urge the Federal Communications Commission (Commission) to act expeditiously in its Further Notice of Proposed Rulemaking on Expanding Flexible Use of the 12.2-12.7 GHz Band (WT Docket No. 20-443), while continuing to maintain an evidence-based approach in this proceeding.

Our scarce spectrum resources are critical federal assets, requiring expert-driven work from the Commission in determining how to allocate spectrum for different uses. From developing next generation technologies to expanding broadband access, spectrum is fundamental to innovation, national security, and the well-being of Americans. We commend the Commission's rigorous and forward-thinking work in allocating these resources, including assessing competing interference claims. We encourage the Commission to continue conducting objective analyses regarding interference claims, including in this proceeding.

With the 12.2-12.7 GHz band, the Commission has a unique near-term opportunity to expand broadband access, improve the distribution of spectrum resources, and put our spectrum to its most efficient use, especially in rural areas of the country. In particular, if the Commission determines that fixed broadband operations can coexist in the 12.2-12.7 GHz band without interfering with incumbent users, the Commission should move swiftly to permit such use, particularly as the federal government deploys additional resources to close the digital divide. The Commission can do this by updating twenty-year old rules for the band to account for new technological advances, which can make sharing possible, and considering the creation of a sharing framework to permit local access to unused spectrum channels in this band; ensuring tribes have adequate spectrum access in the band; and potentially authorizing low-power, indoor-only unlicensed use of the band.

In short, connecting all Americans with broadband is a national priority, and the 12.2-12.7 GHz band has the potential to help the United States achieve this goal.

Thank you for your work on this important issue.

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Sincerely,



Edward J. Markey
United States Senator



Marsha Blackburn
United States Senator