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March 25, 2009

The Honorable Michael J. Copps
Acting Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Copps:

As you prepare a report setting forth a national broadband plan, as required by the American Recovery and Reinvestment Act of 2009, we ask that you include in the Commission's deliberations the issues of spectrum allocation, assignment, management, and use.

The Recovery Act specifies that the goal of the broadband plan is to ensure "all people of the United States have access to broadband capability."¹ The statute instructs the Commission to include an analysis of the best ways to ensure universal and affordable broadband access.² We believe that in preparing the national broadband plan required by Congress, the Commission should consider whether additional spectrum should be allocated for commercial use as well as federal, state, and local spectrum needs.

The Government Accountability Office has issued a series of reports recommending that the Commission and the Secretary of Commerce take steps to improve existing spectrum management practices.³ To date, these recommendations have not been fully implemented. In

¹ The American Recovery and Reinvestment Act, Pub. L. No. 111-5, 123 Stat. 115, § 6001(k)(2) (2009).

² *Id.* at § 6001(k)(2)(A) – (D).

³ Government Accountability Office, *Telecommunications: Options for and Barriers to Spectrum Reform* (Mar. 14, 2006) (GAO-06-526T); *Telecommunications: Strong Support for Extending FCC's Auction Authority Exists, but Little Agreement on Other Options to Improve Efficient Use of Spectrum* (Dec. 20, 2005) (GAO-06-236); *Telecommunications: Comprehensive Review of U.S. Spectrum Management with Broad Stakeholder Involvement is Needed* (Jan. 31,

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an age in which broadband services are increasingly reliant on fixed and mobile wireless networks, a coordinated and comprehensive spectrum strategy is vital.

Thank you for your consideration of this matter.

Sincerely,



Henry A. Waxman
Chairman



Rick Boucher
Chairman
Subcommittee on Communications,
Technology, and the Internet

cc: Joe Barton
Ranking Member

Cliff Stearns
Ranking Member
Subcommittee on Communications, Technology, and the Internet