



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Peter A. DeFazio
Chair

Sam Graves
Ranking Member

Katherine W. Dedrick, Staff Director

Paul J. Sass, Republican Staff Director

January 3, 2022

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairwoman Rosenworcel:

I write to you today to again express my deep reservations about the telecom industry's upcoming January 5 deployment of 5G broadband transmissions in the C-band and urge you to immediately delay this deployment until the concerns expressed by the Department of Transportation (DOT), the Federal Aviation Administration (FAA), and aviation industry stakeholders have been adequately addressed.

As you know, on December 31, 2021, DOT Secretary Pete Buttigieg and FAA Administrator Steve Dickson sent a letter to John Stankey and Hans Vestberg, the chief executive officers of AT&T and Verizon, respectively. The letter proposed, among other things, that the two companies temporarily pause C-band service for an additional two weeks beyond the currently scheduled deployment date of January 5, in order for the FAA to adequately review information regarding the safety mitigations needed at certain priority airports. Absent an agreement or further action, the letter notes that the aviation industry will have to take steps that will inevitably result in "widespread and unacceptable" disruptions. This not only includes commercial aircraft, but also emergency aeromedical operations as well, such as air ambulances. Unfortunately, despite this reasonable offer, their proposal was summarily rejected.

I understand there have been a number of claims promoted by the telecommunications industry, as well as by one of your colleagues, as to why the concerns of the aviation industry and the world's premier aviation safety agency, the FAA, should continue to be ignored.

For instance, in FCC Commissioner Brendan Carr's letter to DOT Secretary Buttigieg on January 1, 2022, he opposes the DOT and FAA's request to pause deployment, stating that "C-Band has been live in nearly 40 countries...without any instances of harmful interference." However, this oft-repeated talking point fails to mention any of the restrictions or differences that exist in those countries but not in the U.S. In fact, in nearly every one of those 40 countries, the C-band signals used operate farther away from the radio frequency band used by radio altimeters; the C-band

The Hon. Jessica Rosenworcel

January 3, 2022

Page 2

signals are at power levels significantly lower; there exists exclusion zones that limit or prevent 5G signals around airport runways; or there are limitations on the directional tilt of certain 5G broadband antennas. In many of these countries, all of these restrictions apply or are being considered. Furthermore, these other countries have far fewer major airports and much less aviation activity than the U.S. To make this comparison without recognizing the critical differences that exist between the U.S. and every other country that has deployed 5G technology is disingenuous, misleading, and displays a glaring disregard for the potential safety measures needed to protect the flying public.

While I am pleased to hear that the telecom industry has started to adopt some of the mitigation measures proposed by the aviation industry, these actions, proposed at the 11th hour, still fall far short of what is necessary to ensure the safe deployment of 5G broadband service.

For one, the telecom industry's proposed actions to adopt exclusion zones around certain airport runways and to operate 5G base stations at lower power levels is a *temporary* measure meant to last no longer than six months. The limited timeframe of these proposals means the results of this six month "trial period" to assess the risk posed by 5G deployment to the aviation industry will be just that, limited. Yet higher 5G power levels and the potential removal of these exclusion zones around airport runways (where aircraft radio altimeters are particularly susceptible) could reflect a much different and potentially riskier operating environment for aircraft. The telecom industry must work with the FAA and aviation industry stakeholders on an agreed upon set of mitigations now to ensure problems don't arise later.

Furthermore, these proposed limitations were placed on the telecom industry, by the telecom industry. They are a voluntary set of measures by private actors who have the power to change their minds whenever they so choose. We should not be outsourcing aviation safety to the telecom industry. Protecting the safety of the American public requires more from us.

It requires working collaboratively with aviation stakeholders to earnestly address safety concerns they have been raising since 2018. It requires heeding the recommendations of the world's premier aviation safety agency. And it requires rejecting a "deploy now, fix later" approach to aviation that is antithetical to the strong safety culture we have cultivated over the last several decades.

Thankfully, we have seen progress in recent weeks. On December 22, 2021, after years of effort, airlines, aviation manufacturers, and the telecom industry announced that their technical experts will finally begin working collaboratively to address the aviation industry's safety concerns. However, as noted in Secretary Buttigieg and Administrator Dickson's letter, this will take time.

That is why I implore you to seriously consider the concerns expressed by the DOT, FAA, and the aviation industry and prohibit any 5G broadband transmissions in the C-band until the FAA can adequately assess the risks to aviation safety and put the appropriate mitigations in place.

Thank you for your consideration.

Sincerely,

The Hon. Jessica Rosenworcel
January 3, 2022
Page 3



PETER A. DeFAZIO
Chair