

United States Senate

WASHINGTON, DC 20510

November 20, 2013

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Wheeler:

As you assume the helm of the FCC, one of the most important tasks that lies before you is the structuring of the incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. I was a strong supporter of the provisions of the law that authorized these auctions, and I am deeply committed to ensuring their success.

The success of the incentive auctions is critical to our nation in several ways. First and foremost, the auctions will generate the revenue needed to establish a national, interoperable public safety broadband network. The creation of this network is an unfilled recommendation of the 9/11 Commission; over a decade after that tragic day, we are finally on the precipice of establishing a system to prevent the communications failures that hampered the evacuation and rescue operations of our heroic first responders.

Second, the auctions will help put back into the market spectrum that is currently not being used to its fullest potential. In an era of rapidly increasing demand for spectrum, ensuring that this limited resource is being used most efficiently and effectively is a high priority for businesses and consumers alike.

It is the responsibility of the Commission to structure the auction so that broadcasters will realize substantial benefit for choosing to put spectrum up for auction, broadcasters who will have to move to new channel assignments can be adequately compensated, and so that the auctions generate maximum revenue in order to adequately fund FirstNet.

That is why I urge you, in structuring these auctions, to maximize participation by broadcasters and bidders alike by avoiding limitations that could lower the potential return and disincentivize broadcasters from offering their spectrum for auction. While I understand that some have advocated for rules that would limit participation by certain wireless carriers, the effect of such rules would simply be to reduce the amount of spectrum offered for auction as well as the revenue that would be generated in return. Ultimately, then, the biggest loser would be FirstNet and the public safety network America needs to thrive in the 21st century.

I appreciate that this is a challenging issue, and look forward to working with the commission to structure the most successful auction possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Sch", with a long horizontal flourish extending to the right.

Charles E. Schumer
United States Senator