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August 31, 2010

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

Dear Chairman Genachowski:

We welcome your announcement that the Federal Communications Commission plans to develop a comprehensive inventory of the allocation, assignment, and use of our nation's spectrum. As you undertake this effort, we urge you to incorporate certain provisions of H.R. 3125, the Radio Spectrum Inventory Act, into any such spectrum inventory.

H.R. 3125 was introduced last year with strong bipartisan support. It was reported out of the House Committee on Energy and Commerce unanimously in March, and it passed the House of Representatives by a vote of 394-18 in April. We believe that certain requirements in the House-passed legislation merit inclusion in your efforts to create an inventory. In particular, these provisions include:

- A requirement that the Commission and the National Telecommunications and Information Administration (NTIA) develop an inventory of each spectrum band from 225 megahertz to at least 3.7 gigahertz, and to 10 gigahertz unless the agencies determine that the burdens of expanding the inventory in this manner outweigh the benefits.
- A requirement that the inventory include information concerning the activities, capabilities, functions, or missions supported by the devices in each band of frequencies.
- A requirement that NTIA and the Commission collect information that would approximate the extent to which each federal or nonfederal user is using, by

geography, each band of frequencies, such as the amount and percentage of time of use, number of end users, or other measures as appropriate to the particular band and radio service.

- A requirement that, based on the information collected through the inventory, the NTIA and the Commission submit joint reports to the House and Senate Commerce Committees containing recommendations as to which spectrum frequencies, if any, should be reallocated or otherwise made available for shared access and an explanation of the basis for that recommendation.

In creating the inventory, we urge you to first use agency resources, including existing databases, field testing, and recordkeeping systems before requesting information from federal and nonfederal users, as we specified in the bill. We also urge you to provide requisite safeguards to protect information that is proprietary or has implications for national security or public safety.

Identifying available spectrum will help further American innovation, competitiveness, and job creation. We commend you for your focus on this issue, as well as your recent launch of a "Spectrum Dashboard" to make information concerning spectrum allocation and usage more transparent to consumers.

Thank you for your consideration of our views.

Sincerely,



Henry A. Waxman
Chairman



Joe Barton
Ranking Member



Rick Boucher
Chairman
Subcommittee on Communications,
Technology and the Internet



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