

**U. S. House of Representatives**  
**Washington, D. C. 20515**

**0338**

March 16, 2011

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Chairman Genachowski,

Next month marks one year since the Commission first proposed to adopt a data roaming rule, and it is well over three years since the Commission first solicited comment on whether to do so. As Members of the Communications and Technology Subcommittee, we are writing to urge you to bring the data roaming issue to a vote at the Commission's April meeting and extend the current voice roaming rule to cover wireless data services. Adoption of this rule offers enormous consumer and competitive benefits.

Last year, the National Broadband Plan recommended that the FCC move forward quickly to address data roaming. As consumers increasingly use wireless services and devices that fully integrate data and voice capabilities, it is critical to have a data roaming rule that ensures competition and the seamless availability of the wireless services that consumers have come to expect. At the same time, smaller carriers often have little choice for roaming partners other than their largest rivals.

The certainty of data roaming on fair terms and conditions will also give carriers the resources and the confidence to continue to invest in their businesses, spurring investment in new wireless infrastructure, creating jobs, enhancing competition and providing consumer choice. The voice roaming rule facilitated network buildout in smaller and rural communities because it enabled carriers to provide service in the very sparsely populated areas adjacent to these communities, and a data roaming rule would spur the same kind of build-out.

Finally, we believe that the adoption of a data roaming requirement would constitute a narrowly tailored exercise of the Commission's authority. It is similar to other obligations that the Commission has routinely imposed on wireless carriers as a condition of licensing; it fulfills Congress's specific directive to avoid regulatory disparities among functionally equivalent wireless services; and it prevents the frustration of specific provisions of the Communications Act.

We respectfully urge you to act at your April meeting to adopt this pro-consumer, pro-investment, pro-competitive rule.

Sincerely,

  
Anna G. Eshoo  
Member of Congress

  
Edward J. Markey  
Member of Congress

  
Michael F. Doyle  
Member of Congress

  
Doris O. Matsui  
Member of Congress

cc: Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker