

United States Senate

August 18, 2019

596

The Honorable Mike Pompeo
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20230

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Secretary Pompeo and Chairman Pai:

I am writing to you today about a very concerning matter that will likely adversely affect hundreds of thousands of Texans living along the United States-Mexico border, and to encourage you to act expeditiously to ensure that communications networks along the border are able to continue operating unimpeded.

As you know, communications networks are critically important to the people they serve, and this is especially true for those along the 2,000 mile United States-Mexico border. A new, wholesale telecommunications carrier created by the Mexican government, Altan, has indicated that it intends to begin operations in Mexico along the border as soon as August 19 in a manner that can and will cause harmful interference to existing US networks, including those used by federal and local law enforcement, hospitals, the US military, local governments, and other sensitive and important users.

The threat of harmful interference to for existing US networks is not just speculation unfortunately. Just recently on August 5, only two days after the tragic mass-shooting in El Paso, Altan decided to operationally test its network in Ciudad Juárez, just across the border from El Paso, utilizing the 700 MHz spectrum band. The result was a severe degradation of the communications network in El Paso including a nearly complete loss of wireless network coverage for the University Medical Center, where more than 10 people injured in the shooting—five of which were still in critical condition at the time—were being treated; a loss of connectivity for the City of El Paso's fire and rescue services, including network-connected defibrillators and other equipment in ambulances that communicates to the hospitals receiving the patients; and a loss of network coverage for critical equipment in El Paso Police Department patrol cars. As bad as this was, the planned August 19 start of operations could be significantly worse.

The First Responder Network Authority (FirstNet), an independent authority authorized by Congress in 2012, has as its mission to ensure the establishment and operation of the Nationwide Public Safety Broadband Network (NPSBN). The NPSBN provides critical communications services to first responders and other public safety personnel that allow them to protect communities and save lives during everyday emergencies as well during catastrophic events. While the NPSBN was not impacted by the August 5 testing, if Altan proceeds with the proposed activation of full operations on August 19, the NPSBN is very likely to incur significant disruption as well. Worse still, due to the manner in which Altan has constructed its network, this interference could happen as far as fifty miles north of the almost 2,000 mile long southern border.

As you are both aware, this harmful interference issue stems from Mexico's choice to establish a spectrum band plan for its 700 MHz spectrum that is inconsistent and incompatible with those employed in the United States and Canada. While I understand that your teams have worked long and hard to find a solution with your Mexican counterparts, and that there are options on the table that would allow Altan to operate without interfering with US networks, it is also my understanding that those negotiations have not yet resolved this significant problem.

Accordingly, as August 19 is, quite literally, right around the corner, I ask you to make clear to the relevant Mexican authorities—at the highest levels—that a mutually satisfactory solution must be found before Mexico allows Altan to begin operations. There is no need for Altan to begin operations along the US-Mexican border before these significant interference issues can be resolved, particularly given available alternatives, and the likely impact to the communications networks of thousands of Americans living near the border is too severe.

Thank you for your continued leadership on this important issue to public safety and border security. I look forward to your response.

Sincerely,



Ted Cruz
United States Senator