



*Congress of the United States
House of Representatives
Washington, D. C. 20515*

*Anna G. Eshoo
Sixteenth District
California*

May 3, 2023

The Honorable Jessica Rosenworcel, Chairwoman
Federal Communications Commission
45 L Street, N.E.
Washington, D.C., 20554

Jessica
Dear Chairwoman Rosenworcel,

I'm writing to you regarding the Federal Communications Commission's (FCC) allocation of the 1,200 MHz of spectrum in the 5.925–7.125 GHz (6 GHz) band for unlicensed uses such as Wi-Fi and affordable broadband deployment. Unlicensed spectrum has been a foundation for countless innovations in the last three decades and our country needs more of it to enable the next wave of innovations.

On April 23, 2020, the FCC adopted a report and order authorizing two types of unlicensed operations in the 6 GHz band. First, the FCC authorized unlicensed standard-power access points in the U-NII-5 and U-NII-7 bands through use of an AFC system. Second, the FCC authorized the entire 6 GHz band for unlicensed indoor low power access points. The rules adopted in the report and order were designed to optimize unlicensed access to the 6 GHz band while also protecting incumbent services so that they continue to thrive in the band. Unfortunately, it's been over three years since the Commission adopted the rules, yet the report and order have not been fully implemented and the use of the band remains unrealized.

The FCC allocated some spectrum for unlicensed uses in 1989, which innovators could use without prior approval. No one could have foreseen how this spectrum would enable an explosion in innovation that has impacted nearly every American's life. Over two billion internet-connected devices – laptops, tablets, cell phones, smart home appliances, and internet-of-things devices – depend on Wi-Fi and are commonplace in homes, schools, libraries, offices, warehouses, coffee shops, and restaurants around our country. These devices have revolutionized education, communications, commerce, entertainment, and so many other domains of everyday life. Additionally, both rural and urban communities enjoy high speed internet access made affordable by using unlicensed spectrum. In the 117th Congress, we made a generational investment to increase broadband access and bridge the digital divide.

States and communities will need to leverage unlicensed spectrum to achieve the goal of high-speed broadband in every American home.

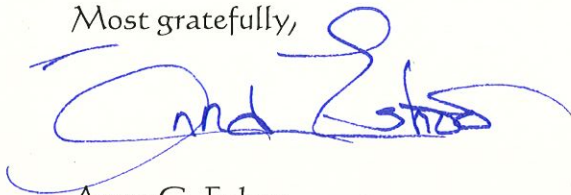
The FCC's early decisions to enable unlicensed uses led to a success-based problem: we now need a lot more spectrum to keep pace with today's internet traffic and to enable new forms of internet uses that are even more reliant on data and spectrum. Advances in artificial intelligence, virtual and augmented reality, and internet-connected sensors have the potential to improve many aspects of society drastically, but these data-intensive technologies will rely, in part, on Wi-Fi. Furthermore, our country's success in 5G is dependent on sufficient spectrum to support offloading mobile internet traffic onto Wi-Fi, which carries over half of all internet traffic today.

Continued innovation and increased connectivity cannot be accomplished without the support of the FCC and the rules it promulgates. The failure of the FCC to fully implement its report and order prevents companies from fully deploying new technologies and prevents many Americans from being connected to the internet. I appreciate the interests of incumbent users of the band and their concerns regarding interference. Public safety uses of the band are of paramount concern and must be protected, but the FCC must find a way to address these concerns and fully implement its 2020 report and order.

I therefore respectfully request an update on the status of the implementation of the April 23, 2020 report and order. I also request that the FCC brief my staff on how it intends to move forward with implementation and its timeline.

I'm excited about the advances in technology that Wi-Fi has provided and will continue to enable. I'm even more excited about the unimaginable innovation that entrepreneurs will dream up when more spectrum is available for unlicensed uses. I encourage the FCC to finish the job it started in April 2020 expeditiously and open the 6 GHz band to unlicensed use so the U.S. can continue to lead the world in innovation and Americans across the country can gain needed access to the internet.

Most gratefully,



Anna G. Eshoo
Member of Congress

cc: The Honorable Brendan Carr, Commissioner
The Honorable Geoffrey Starks, Commissioner
The Honorable Nathan Simington, Commissioner