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Thursday, July 2, 2020

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

Dear Chairman Pai,

I am concerned about the Government Accountability Office's (GAO) recent report about the Federal Communications Commission's (FCC) inadequate strategic planning to deploy 5G mobile communications networks nationwide. Although I welcome your commitment to prioritize 5G deployment as Chairman, I worry that commitment has not been matched by a comprehensive and effective strategy.

The stakes are high. The emergence of 5G networks presents vast opportunities for America's economic competitiveness and global leadership. The networks' faster speeds, higher data capacity, and lower latency have significant potential to create jobs, drive growth, and spur innovation. Unlocking its potential – and ensuring its gains are distributed evenly across the United States – only becomes more urgent as communities nationwide struggle to recover from a historic economic downturn and maintain social distancing to combat the pandemic.

China is moving aggressively, despite the pandemic, to seize on the potential of 5G networks. China's largest carrier, China Mobile, reportedly plans to deploy 300,000 5G base stations by the end of the year, while the country's two other leading carriers, China Unicom and China Telecom, plan to finish their initial 5G buildout by the end of September, three months ahead of schedule.¹ The country has also worked aggressively to allocate critical mid-band spectrum for 5G use.

In the United States, progress in 5G deployment lags dangerously behind. The efficient reallocation of mid-band spectrum, which has advantageous attributes for 5G propagation, will be critical to U.S. 5G deployment. However, GAO found that FCC has "primarily made high-band spectrum available for 5G" and has failed to "clearly identify specific and measurable performance goals or measures to manage the spectrum demands for 5G." As a result, GAO found that FCC is "unable to demonstrate whether progress is being made in freeing up spectrum in achieving any specific goals, particularly as it relates to congested mid-band spectrum."

¹ <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/beijing-authorities-push-rapid-5g-deployment-despite-covid-19-headwinds-translation/>

Moreover, without a comprehensive strategy, the limited propagation of 5G wireless signals deployed at predominantly higher frequencies means that networks will most likely deploy in densely populated urban environments that already benefit from the fastest broadband connections such as fiber. Absent deliberate and proactive policy, 5G deployment risks expanding the digital divide instead of closing it. Although I welcome your announcement of a \$9 billion fund to deploy 5G networks in rural areas, such initiatives must be part of a coherent plan with clear benchmarks for progress, coupled with a strategy for developing secure, viable, and open 5G technologies necessary for ensuring U.S. leadership in next generation wireless. However, GAO found that FCC “has not developed specific and measurable performance goals with related strategies and measures to assess how well its actions are mitigating the added effects 5G deployment will have on the digital divide.”

Given the stakes of 5G deployment for America’s economic competitiveness and global leadership, I find these conclusions deeply troubling. I ask that you provide answers to the following questions by July 31, 2020.

- Will you follow GAO’s recommendation to “develop, in coordination with NTIA and other relevant stakeholders, specific and measurable performance goals – with related strategies and measures – to manage spectrum demands associated with 5G deployment”? If so, what will your timeframe be to do so?
- Will you follow GAO’s recommendation to “develop specific and measurable performance goals – with related strategies and measures – to determine the effects of 5G deployment and any mitigating actions may have on the digital divide”? If so, what will your timeframe be to do so?
- What actions would you recommend Congress take, if any, to strengthen strategic coordination across the executive branch to help deploy secure and reliable 5G networks nationwide?

Thank you for your attention to these matters.

Sincerely,



Michael F. Bennet