

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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[www.science.house.gov](http://www.science.house.gov)

October 23, 2019

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

Dear Chairman Pai,

I am writing to follow up on a letter I sent to you on September 30, 2019 regarding the World Radiocommunication Conference 2019 (WRC-19) next week.<sup>1</sup> In that letter, I outlined my concerns regarding Agenda Item 1.13, which addresses out-of-band emissions limits under consideration for the 24.25-24.75 GHz spectrum band (referred to hereafter as the 24 GHz band).

This is not the first time the Committee on Science, Space, and Technology has raised questions on this topic. Ranking Member Frank Lucas and I wrote to you on March 13, asking FCC to delay the 24 GHz auction out of concern for potential interference with weather data collected by passive sensors on National Oceanic and Atmospheric Administration (NOAA), National Aeronautics and Space Administration (NASA), and Department of Defense satellites, referred to as the Earth Exploration-Satellite Service.<sup>2</sup> In your April 29 response to this Committee, you asserted that there was no evidence of potential interference with weather data,<sup>3</sup> and FCC proceeded with the auction as planned. Since that time, and as detailed in my September 30 letter, you have continued to assert this opinion.

Attached to my September 30 letter were two studies prepared by NOAA and NASA to support discussion of Agenda Item 1.13 at the WRC-19.<sup>4</sup> NOAA and NASA leadership have repeatedly voiced concerns that out-of-band emission limits proposed by the Federal Communications Commission (FCC) will disrupt satellite-collected weather data. While you have made many

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<sup>1</sup><https://science.house.gov/imo/media/doc/9.30.19%20Letter%20to%20FCC%20re%20NOAA%20NASA%20Studies%201.pdf>

<sup>2</sup><https://science.house.gov/imo/media/doc/Pai%20FCC%20Letter.pdf>

<sup>3</sup><https://science.house.gov/imo/media/doc/4.29.19%20Ajit%20Pai%20letter%20to%20EJB.pdf>

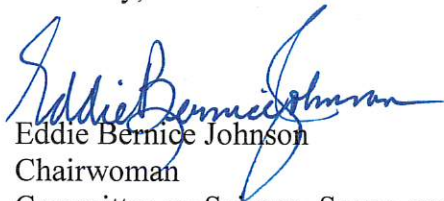
<sup>4</sup><https://science.house.gov/letter-to-fcc-chairman-pai-requesting-any-technical-analysis-that-the-fcc-has-conducted-or-reviewed-on-out-of-band-emissions-limits>

public criticisms about the quality of the NOAA/NASA studies, FCC has failed to provide any technical analyses of its own to support these criticisms and its claims that full commercial use of the 24 GHz band will have no impact on weather data. In fact, I have received no response whatsoever to my September 30 letter, which requested that FCC make any such documentation available to the Committee. As such, I am left to assume that the FCC has no science-based evidence to support its position on out-of-band emission limits for the 24 GHz band.

Going into WRC-19, it is vital that the U.S. delegation respect the equities of federal spectrum users and allow well-documented science to direct the U.S negotiating position. The United States government has invested tens of billions of dollars of taxpayer money in our weather forecasting infrastructure. Throughout this process, the FCC has had a cavalier attitude towards protecting those investments and the critical weather forecasts they provide. I am deeply disappointed in the conduct of the FCC in addressing the very real issue of interference with our weather forecasting capabilities.

Thank you for your attention to these matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eddie Bernice Johnson".

Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and Technology

CC:

The Honorable Brendan Carr  
Commissioner  
Federal Communications Commission

The Honorable Michael O'Rielly  
Commissioner  
Federal Communications Commission

The Honorable Jessica Rosenworcel  
Commissioner  
Federal Communications Commission

The Honorable Geoffrey Starks  
Commissioner  
Federal Communications Commission

The Honorable Frank D. Lucas  
Ranking Member  
Committee on Science, Space, and Technology