



November 18, 2020

The Honorable Roger Wicker  
Chairman, Senate Committee on Commerce,  
Science, and Transportation  
512 Dirksen Senate Building  
Washington, D.C. 20510

The Honorable Maria Cantwell  
Ranking Member, Senate Committee on  
Commerce, Science, and Transportation  
420-A Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Wicker, Ranking Member Cantwell, and Members of the Committee:

On behalf of National Taxpayers Union (NTU), the nation's oldest taxpayer advocacy organization, I write to thank you for advancing S. 4803, the Beat China by Harnessing Important, National Airwaves (CHINA) for 5G Act of 2020, at your November 18 Executive Session.<sup>1</sup> NTU strongly supports this legislation.

As you may know, the Beat CHINA for 5G Act, sponsored by Chairman Wicker (R-MS) and Sen. John Thune (R-SD) in the Senate and Reps. Greg Walden (R-OR) and Brett Guthrie (R-KY) in the House, would require the Federal Communications Commission (FCC) to begin a commercial auction for the 3.45-3.55 GHz band of the nation's spectrum by no later than December 31, 2021.<sup>2</sup> This would foreclose recent and troubling plans from the Department of Defense (DoD) indicating that they may be interested in building a government-owned, national 5G wireless network.<sup>3</sup>

NTU and dozens of other taxpayer advocacy organizations led by Americans for Tax Reform (ATR) wrote to Sen. Thune on this issue in early October, thanking him for his efforts to "[support] the American competitive approach to 5G deployment, which is private sector driven and private sector led."<sup>4</sup> NTU also published an Issue Brief warning of some major concerns with DoD's effort, including that DoD may block current and future American innovations in 5G and that it is extremely unclear how much a government-owned national 5G network maintained by the Pentagon would cost taxpayers.<sup>5</sup>

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<sup>1</sup> U.S. Senate Committee on Commerce, Science, & Transportation. (November 2020). "Executive Session." Retrieved from: <https://www.commerce.senate.gov/2020/11/executive-session> (Accessed November 13, 2020.)

<sup>2</sup> U.S. Senate Committee on Commerce, Science, & Transportation. (October 7, 2020). "Wicker, Thune, Walden, Guthrie, Latta Lead Bill to Open Mid-Band Spectrum for Commercial Use." Retrieved from: <https://www.commerce.senate.gov/2020/10/wicker-thune-walden-guthrie-latta-lead-bill-to-open-mid-band-spectrum-for-commercial-use> (Accessed November 13, 2020.)

<sup>3</sup> General Services Administration. (September 18, 2020). "Defense Spectrum Sharing Request for Information." Retrieved from: <https://beta.sam.gov/opp/f88ac11e80bb4e5b8ebb0a30b703eccf/view> (Accessed November 13, 2020.)

<sup>4</sup> Americans for Tax Reform. (October 7, 2020). "Conservatives Unite to Send a Message to Congress: Don't Nationalize 5G." Retrieved from: <https://www.ATR.org/conservatives-unite-send-message-congress-don-t-nationalize-5g> (Accessed November 13, 2020.)

<sup>5</sup> Lautz, Andrew. "What's at Stake for Taxpayers With DoD's Government 5G Proposal." National Taxpayers Union, October 13, 2020. Retrieved from: <https://www.ntu.org/publications/detail/whats-at-stake-for-taxpayers-with-dods-government-5g-proposal>

We are also encouraged to see Congressional Democrats express significant concerns with DoD's plans, from House Energy and Commerce (E&C) Committee Chairman Frank Pallone, Jr. (D-NJ) and E&C Technology Subcommittee Chairman Mike Doyle (D-PA) last month<sup>6</sup> to a bipartisan group of 53 lawmakers led by Rep. Tony Cárdenas (D-CA) in early November.<sup>7</sup>

It is clear to us that DoD's interest in building a government-owned 5G network runs contrary to Congressional intent, and would harm efforts around the country to develop and deploy 5G technology faster than our global competitors. The Beat CHINA for 5G Act presents an opportunity for Congress to push back on this DoD effort, and we thank the Committee for supporting this legislation and advancing it to the full Senate. We are happy to work with you further on any efforts to ensure that 5G development and deployment remains in the capable hands of the private sector.

Sincerely,

Andrew Lautz  
Policy and Government Affairs Manager

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<sup>6</sup> House Committee on Energy & Commerce. (September 21, 2020). "Pallone & Doyle on DOD's Request for Information on Creating a Government-Owned 5G Network." Retrieved from: <https://energycommerce.house.gov/newsroom/press-releases/pallone-doyle-on-dod-s-request-for-information-on-creating-a-governme> [nt](https://energycommerce.house.gov/newsroom/press-releases/pallone-doyle-on-dod-s-request-for-information-on-creating-a-governme) (Accessed November 13, 2020.)

<sup>7</sup> Congressman Tony Cárdenas. (November 6, 2020). "Cárdenas Leads Bipartisan Letter Opposing Nationalizing 5G." Retrieved from: <https://cardenas.house.gov/media-center/press-releases/cardenas-leads-bipartisan-letter-opposing-nationalizing-5g> -- (Accessed November 13, 2020.)