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United States Senate

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

WASHINGTON, DC 20510–6125

WEB SITE: http://commerce.senate.gov

December 19, 2013

The Honorable Anthony R. Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Secretary Foxx and Chairman Wheeler:

As you are aware, there is growing pressure to allow air passengers to use portable electronic devices (PEDs), such as computer tablets and e-books, during flights. To address these concerns, the Federal Aviation Administration (FAA) recently took steps to allow expanded use of PEDs during flights. Last week, the Federal Communications Commission (FCC) voted to explore the possibility of allowing systems that would permit passengers to use mobile communications services aboard airborne aircraft. In contrast to the FAA's new rules, the FCC's proposal could open the door to passengers making and receiving mobile phone calls while in flight.

Not surprisingly, there has been significant public opposition to allowing in-flight mobile phone calls. As Chairman of the Committee with jurisdiction over both of your agencies, let me add my voice to that growing chorus. I have serious concerns with the possibility of allowing in-flight mobile phone calls. I therefore strongly support the Department of Transportation's (DOT) decision to begin a process to examine the implications of allowing in-flight calls under its Aviation Consumer Protection Authority. That process – and the FCC's rulemaking – will allow consumers and other stakeholders the opportunity they deserve to voice their concerns.

During the DOT's and FCC's consideration of this matter, I encourage you to carefully consider the possibility of banning in-flight mobile calls and to fully examine all safety issues that the use of cellular voice services on aircraft may create. The ability to make a call on one's cell phone is not worth compromising the safety of a flight. I encourage you to ensure that safety remains the foremost concern for your agencies throughout this process.

Sincerely,

John D. Rockefeller IV
Chairman