

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

September 22, 2011

The Honorable Darrell Issa  
Chairman, House Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Elijah Cummings  
Ranking Member, House Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Issa and Ranking Member Cummings,

We, Republican members of the Strategic Forces Subcommittee, write to you today to support your aggressive investigation of a matter recently before our Subcommittee, namely the role of the Chairman of the Federal Communications Commission (FCC), the White House, and the Harbinger Capital Partners hedge fund, in a short-circuited rule making that threatens to jeopardize national security.

On January 26<sup>th</sup> of this year, the FCC, by mere waiver of its own long-established rules, approved an expansive proposal by LightSquared to build out a nationwide broadband network.<sup>1</sup> One week later, the National Legal and Policy Center wrote to you both with evidence that “over the course of the past year, a series of odd decisions, questionable meetings and procedural anomalies at the Federal Communications Commission and White House highlight Mr. Falcone’s growing influence in the hallways of government.”

And on Wednesday, September 14<sup>th</sup>, the Center for Public Integrity released more than 300 pages of documents that detail requests by Mr. Falcone's company for meetings with senior administration officials citing, among other things, sizable campaign contributions to the President.

While these matters were beyond the purview of the subcommittee hearing recently convened in the House Armed Services Committee, it is plainly within the purview of the House Committee on Oversight and Government Reform. It is troubling to see reports of high dollar donors being given unusual consideration in the regulatory process, especially when the consequences entail what Air Force General William Shelton called “significant interference to military GPS.”

General Shelton is not alone in his concerns. In fact, Deputy Secretary of Defense William Lynn warned FCC Chairman Genachowski two weeks before the Commission granted LightSquared its waiver; he stated, “there is strong potential for interference to...critical National Security Space Systems.”<sup>2</sup> The

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<sup>1</sup> January 26, 2011 – waiver of FCC Rule 25.149(b)(4)

<sup>2</sup> Letter to FCC Chairman Julius Genachowski from Deputy Secretary of Defense, January 12, 2011.

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Deputy Secretary of Defense also asked for Chairman Genachowski's "personal attention on this matter" only to have that request, apparently, ignored.

Additionally, we have received reports that numerous witnesses before our committee, and likely therefore other committees, were asked during the administration's testimony coordination process to include language with which many of them disagreed, and that some ultimately declined to include. We are concerned that this language shows an administration bias in favor of LightSquared.

Such disturbing reports cannot go ignored by the Committee on Oversight and Government Reform. We urge your prompt attention to this matter.

Sincerely,



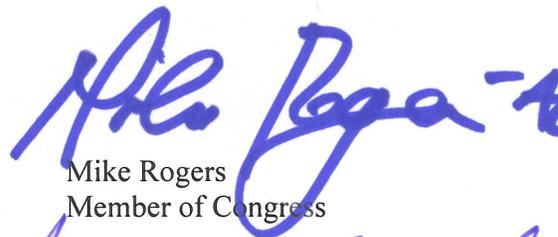
Michael R. Turner  
Member of Congress



Trent Franks  
Member of Congress



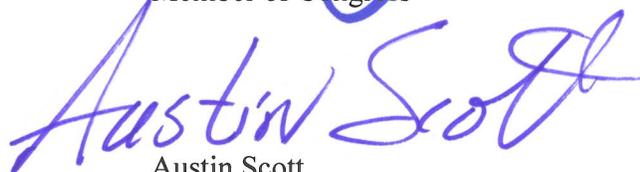
Mo Brooks  
Member of Congress



Mike Rogers  
Member of Congress



John Fleming  
Member of Congress



Austin Scott  
Member of Congress

MRT:tm  
Enclosure



DEPUTY SECRETARY OF DEFENSE  
1010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1010

JAN 12 2011

Mr. Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Genachowski:

The Department of Defense (DoD) has reviewed the Federal Communications Commission's (FCC) pending Order and Authorization (O&A) regarding the request by LightSquared Subsidiary LLC (LightSquared) to modify the Ancillary Terrestrial Component (ATC) service rules. DoD's initial review of this O&A revealed a potential for the LightSquared ATC network to interfere with the Department's Global Positioning System, Inmarsat terminals, and Aeronautical Mobile Telemetry operations.

The previously agreed to interference criteria, analyzed in 2002, are now dated especially when considering LightSquared's revised business model. Therefore, there is strong potential for interference to these critical National Security Systems. The Department strongly recommends deferral of final action on this ruling until the proper interference analysis and mitigation studies can be conducted based on this new business model.

Your personal attention on this matter is greatly appreciated and the DoD will continue to work with the National Telecommunications & Information Administration and FCC to resolve this issue as soon as possible.

A handwritten signature in black ink, appearing to read "W. L. Strickling", is located in the lower right quadrant of the page.

cc:  
The Honorable Lawrence E. Strickling  
Assistant Secretary for National  
Telecommunications & Information  
Administration, Department of Commerce

