

June 16, 2020

The Honorable Roger F. Wicker
Chairman
United States Senate Committee on Commerce, Science, and Transportation
555 Dirksen Senate Office Building
Washington, DC 20510

Re: Support of Nomination of Michael P. O’Rielly, Federal Communications Commission

Dear Senator Wicker:

Thank you for your consideration of Michael O’Rielly for an additional term as Commissioner at the Federal Communications Commission (FCC). Commissioner O’Rielly has spent his career working to advance well-informed communications policy to benefit U.S. consumers and advance U.S. leadership. Commissioner O’Rielly has deep knowledge of communications policy and a long record of achievements. His nomination should be approved quickly by the Senate Committee on Commerce, Science, and Transportation and the full Senate.

Commissioner O’Rielly served for many years as a leading policy analyst and advisor to the House and Senate Commerce Committees. At the FCC, Commissioner O’Rielly has stayed true to a Constitutionalist [regulatory philosophy](#) focused on the rule of law and economic freedom, and regulatory intervention only when it is justified and narrowly tailored. He has built an impressive record of achievements with distinguished leadership on many critical issues including spectrum; 5G and wireless services; broadcast and media; regulatory modernization; FCC process reform; internet freedom; and combatting corruption, waste, fraud, and abuse.

Commissioner O’Rielly has tirelessly championed making more spectrum commercially available. His instrumental leadership includes the flexible use of the 3.7-4.2 GHz or [C-band](#), a critical effort to make more mid-band spectrum available for 5G and help the U.S. stay ahead of China in the global race to 5G. He led a pioneering effort on the 3.5 GHz band or [Citizens Band Radio Band](#) to make valuable, but little used federal spectrum available with three levels of access. His work has been important on the [TV white spaces](#), [5.9 GHz](#), [900 MHz](#), [6 GHz](#) and many other spectrum proceedings.

Commissioner O’Rielly has been a key supporter of the FCC’s 5G Fast Plan, a suite of policies to make more spectrum available, [accelerate infrastructure](#), modernize outdated regulations, and direct FCC funds to rural areas, like the [Rural Fund for 5G](#).

Commissioner O’Rielly has led long overdue effort to [modernize](#) the FCC’s media regulations and to enable the FCC’s regulated industries to evolve and compete in a converged, digitally connected world. This includes among many proceedings, efforts to allow [broadcast internet innovation](#), policy to preserve the [Constitutional rights of broadcasters](#), improving [video for visually impaired Americans](#), and modernizing [low power FM radio rules](#) and [recordkeeping rules for cable providers](#). This wide-ranging effort includes an important proceeding on children’s television programming (“[Kid Vid](#)”) which recognizes the reality that technological

change has brought to video content for children and to allow broadcasters flexibility to meet the demands and interests of the markets they serve.

Commissioner O’Rielly has supported important [reform of FCC processes](#) to ensure that the agency is best suited to meet the demands of today’s digital world. Additionally, he has also worked to combat corruption, waste, fraud, and abuse in the U.S. and internationally. He’s worked to protect America’s interests at the [International Telecommunication Union](#), demanded increased transparency and accountability, challenged the ITU’s attempt to regulate emerging technologies.

Commission O’Rielly has addressed many instances of waste, fraud and abuse of precious taxpayer and ratepayer funds meant to promote communications for the poor and public safety. He drove policy to stop states from diverting [vital 911 fees](#) to unauthorized uses. He led initiatives to improve efficiency in the USF, including the reverse auction model for distributing USF support, the creation and adoption of a cost model for providers as alternative to inefficient rate-of-return regulation, and other reforms to improve accountability and remove unnecessary burdens and make the USF more technology neutral and market-driven. He has shed light on abuse of the [Lifeline](#) program and challenged the Universal Service Administrative Co. for its [overbuilding existing networks](#).

Commission O’Rielly has been the chief proponent for [clarifying](#) Telephone Consumer Protection Act provisions and ending abusive litigation against legitimate companies.

Commissioner O’Rielly has fearlessly supported [Internet Freedom](#) and helped establish the pro-investment internet policy framework in place today.

Thank you for this timely consideration of Commissioner O’Rielly. We strongly support his nomination and urge you to move quickly to approve Commissioner O’Rielly for another term as Commissioner at the FCC.

Sincerely,

Steve Posciask, President & CEO
American Consumer Institute

Ashley Baker, Director of Public Policy
Committee for Justice

Roslyn Layton, Visiting Scholar
American Enterprise Institute
(Views reflect the scholar, not AEI)

Jessica Melugin, Associate Director, Center
for Technology and Innovation
Competitive Enterprise Institute

Grover Norquist, President
Americans for Tax Reform

Matthew Kandrach, President
Consumer Action for a Strong Economy
(CASE)

Timothy Lee, Senior Vice President of
Legal and Public Affairs
Center for Individual Freedom

Thomas Cynkin, Ph.D., Vice President for
External Affairs
Daniel Morgan Graduate School of National
Security

Katie McAuliffe, Executive Director
Digital Liberty

Adam Brandon, President
FreedomWorks

Jessica Anderson, Executive Director
Heritage Action for America

The Honorable Daniel S. Goldin
9th Administrator of NASA

Bartlett Cleland, Executive Director
Innovation Economy Institute

Seton Motley, President
Less Government

Zach Graves, Head of Policy
Lincoln Network

Tom Struble, Manager, Technology &
Innovation
R Street Institute

David Williams, President
Taxpayers Protection Alliance

TechFreedom

Cc: The Honorable Mitch McConnell, Majority Leader, United States Senate
The Honorable John Thune, Senate Majority Whip