



June 26, 2017

The Honorable Bill Shuster
United States House of Representatives
2079 Rayburn House Office Building
Washington, DC 20515

The Honorable Peter A. DeFazio
United States House of Representatives
2134 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Shuster and Ranking Member DeFazio:

The Telecommunications Industry Association (TIA), the leading trade association for the global manufacturers, vendors, and suppliers of information and communications technology, writes to request the removal or modification of **Section 502 of H.R. 2997, the 21st Century AIRR Act**. A cell phone voice communication ban aboard aircraft would defy historical practice, interfere in the free market, restrict the rights of airlines and passengers, harm the ability of technology companies to innovate, and make the United States an outlier in the global community.

In-flight voice services have been available in the United States for decades. Seat-back telephones supported by terrestrial air-ground networks were once available on many domestic flights, and integrated satellite-based voice services remain available on long-haul flights. More recently, foreign airlines have started offering in-flight mobile connectivity ("IMC") using passengers' own mobile devices, including voice, data, and text. These applications supplement and provide an alternative to Wi-Fi based connectivity. Notably, voice service forms a very small percentage of total IMC utilization. For example, Virgin Atlantic installed IMC capability and noticed the following trends:

- the primary times for voice utilization is just after take-off and just prior to landing;
- a primary use for voice applications is checking voicemail;
- there is very little voice activity on overnight flights; and
- on average, there are less than 10 voice calls during an entire flight.

Meanwhile, an FAA study of foreign airlines found no issues regarding passenger discomfort or operational disruption. Rather, experience shows that passenger behavior regarding on-board mobile use is self-regulating. While we recognize passenger comfort concerns regarding cell phone calls, they are based on a fundamental misunderstanding. For example, in-flight mobile voice service is based on an international roaming model with per-minute costs in the \$3-\$4 range per minute. Thus, rather than unlimited calling in the terrestrial context, the high cost of in-flight calling greatly limits its use.

At present, foreign airlines are required to disable their IMC services mid-flight upon entering U.S. airspace. Rather than codifying this restriction, Congress should instead allow the airlines to address issues of passenger comfort and allow the free market to develop. Alternatively, **while TIA believes the provision should be removed, the House should at least consider adopting the Senate language that permits DOT action ("may") but does not mandate it ("shall")**. See S. 1405 § 3117. For more information, please contact Dileep Srihari at 703-907-7715 or by email at dsrihari@tiaonline.org. TIA thanks you for your consideration of this important issue.

Best regards,

Cinnamon Rogers
Senior Vice President
Telecommunications Industry Association

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