

Commerce Spectrum Management Advisory Committee (CSMAC)

Meeting Minutes

Time: 9:00 a.m.

Date: January 11, 2011

Place: U.S. Department of Commerce
Herbert C. Hoover Department of Commerce Building
Room 4830
1401 Constitution Avenue N.W.
Washington, DC 20230

Persons Present:

CSMAC Members	Attended in Person	Attended via Phone
Dale Hatfield	X	
Bryan Tramont	X	
Larry Alder		X
David E. Borth	X	
Michael Calabrese	X	
Martin Cooper		X
Susan Crawford	X	
Mark E. Crosby		X
David L. Donovan	X	
Gary Epstein	X	
Brian Fontes	X	
Harold Furchtgott-Roth	X	
Robert M. Gurs	X	
Kevin Kahn	X	
James A. Lewis		
Mark McHenry	X	
Darrin M. Mylet		X
Janice Obuchowski	X	
Robert Pepper	X	
Neville Ray		
Richard Reaser, Jr.	X	
Gregory Rosston	X	
R. Gerard Salemme	X	
Jennifer Warren	X	
Julie Zoller	X	

NTIA Agency Employees	Title
Lawrence E. Strickling	Assistant Secretary of Commerce for Communications and Information
Joseph L. Gattuso	CSMAC Designated Federal Officer
Karl Nebbia	Associate Administrator, NTIA Office of Spectrum Management

Presenter	Title
Phil Weiser	White House Senior Advisor for Technology and Innovation
Karl Nebbia	Associate Administrator, NTIA Office of Spectrum Management

** Other federal employees and members of the press and public were also in attendance.*

Action Items Arising from Meeting Discussion:

Action	Lead(s)
Input approved edits and circulate the final text of the Incentives Subcommittee Report	Michael Calabrese
Input approved edits and circulate the final text of the Unlicensed Users Subcommittee Report	Gerry Salemme

Discussion Items (Per Agenda):

Welcome and Opening Remarks

Co-Chairs Tramont and Hatfield called the meeting to order at approximately 9:09 a.m., welcomed everyone, called a roll of the members attending in person and by telephone. Co-Chair Hatfield introduced Assistant Secretary Strickling, who gave brief remarks. Assistant Secretary Strickling noted that this was the last meeting of the current CSMAC membership, that NTIA planned to recharter the committee, and thanked everyone for attending.

Discussion of Draft Subcommittee Reports for Approval

Incentives Subcommittee (Michael Calabrese) – Mr. Calabrese noted that the Incentives Subcommittee report had been the subject of the December teleconference. He summarized and elaborated on the report’s three major recommendations:

- 1) NTIA and the FCC should study the implementation of a spectrum fee and solicit input from both Federal and non-Federal users. (The report describes the main purpose of the fee is to spur users to internalize the opportunity cost of spectrum use, thereby promoting efficiency.)

- 2) Government should revise OMB Circular A-11, which requires agencies to integrate the cost of spectrum resources into their capital planning and management process. The report suggests language to rewrite Circular A-11 so that it becomes a checklist that requires the consideration of spectrum in the procurement process more explicitly and requires a detailed explanation if the most spectrum-efficient solution is not selected.
- 3) NTIA should support broadening the allowable purposes of the CSEA Spectrum Relocation Fund to create a Spectrum Innovation Fund that would reimburse approved Federal spectrum users for up-front research, planning and possibly other costs related to modernizing Federal systems, in addition to migration costs.

Following Mr. Calabrese's summary, the co-chairs opened discussion among the members concerning the substance of the recommendations and their wording, with comments also from Mr. Nebbia. The members agreed to wording changes to the summary of the spectrum fee recommendation, which would clarify that "the fee should be designed to have the effect of providing an incentive for future spectrum-using systems to give greater consideration to efficient use." The members also agreed to add language to the end of the summary of the spectrum fee recommendation as follows: "At the same time, decisions regarding the appropriateness of fees for spectrum users must take into account a host of other, sometimes divergent factors. These include: maximizing efficiency and flexibility; avoiding harmful interference; enabling specific capabilities; taking technical characteristics (e.g., propagation) into account; sustaining essential government services and meeting other policy objectives; and considering potential international implications and government appropriations processes."

The Committee adopted the report, as amended, by voice vote, subject to the edits discussed and approved and with editorial privileges.

Unlicensed Users Subcommittee (Gerry Salemme) – Mr. Salemme reviewed the work of the subcommittee and its direction. He observed that the report was not without controversy and has a focus on unlicensed use and would recommend that specific spectrum be allocated exclusively for unlicensed use.

Co-Chair Tramont offered a clarifying edit to language on page 8 that would delete the "gaps in the database created by federal users" clause and add a footnote at the end of the same sentence that states "Government and industry have also discussed a new certification test that reflects TDWR missions characteristics in ways that the initial certification test did not."

Further discussion among the committee members followed, with additional comments by Mr. Nebbia.

[The co-chairs paused the discussion to hear the presentation of Mr. Phil Weiser, summarized below. The discussion thereafter continued.]

Following additional discussion, Mr. Salemme summarized the proposed edits to the discussion draft:

- Page 1: Delete the first paragraph and replace it with “The report assumes a continued existence of unlicensed use and suggests steps that could lead to more efficient unlicensed uses, as well as enhanced sharing among users, licensed and unlicensed.”
- Page 5: Add “This process results in wasted energy and unused spectrum capacity that may prevent others from sharing the radio spectrum, but there have been cases where technological advances have mitigated this concern.” Also add a cite for the AT&T Wi-Fi example.
- Page 7: Replace “has underscored the need to ensure adequate enforcement mechanisms are in place” with “has underscored the need to ensure adequate enforcement mechanisms including testing and certification are in place.”
- Page 8: Clarify the language and add the footnote offered by Co-Chair Tramont
- Page 9: Add (under a new heading, “In Field Reauthorization”): “Finally, it should be noted that virtually all future devices that are candidates for unlicensed use will or could be designed to intermittently contact the Internet. Policymakers should consider as part of the certification of such devices that they may be limited to potentially bounded lives by requiring them to re-authorize over the network in some appropriate interval. This would provide one possible way to obsolete such legacy devices over multiyear time frames.”
- Also on Page 9: Delete the first paragraph under the “Challenge” section, and for the next sentence, change to indicate that there have been cases “where new spectrally-efficient technologies have arisen by virtue of market forces or by government decision.” Also add “This improvement evolved over a period of 40 years but progress was continuous” and delete the rest of that sentence.
- Throughout: Change “unlicensed bands,” to either “unlicensed uses and/or devices.”
- Recommendation 2: Delete this recommendation regarding a “National Spectrum Technology Roadmap” and merge some of the concepts into the first recommendation.
- Recommendation 3: Change to “the Committee also recommends that if and when one or more new bands are designated for unlicensed use....”
- Recommendation 4: Start with: “Finally, we recommend if and when NTIA and the FCC consider opening unlicensed use to new bands, they will design technical rules....”

The members agreed by voice vote to adopt the report, as amended, with editorial privileges. Mr. Salemme will circulate the final text of the report within one day.

Facilitated Discussion: CSMAC Next Steps (Assistant Secretary Lawrence E. Strickling)

Before beginning the discussion, Assistant Secretary Strickling presented Co-Chairs Dale Hatfield and Bryan Tramont with Certificates of Appreciation for their leadership as co-chairs. Mr. Strickling also noted that Mr. Hatfield and Mr. Tramont have decided to no longer serve as co-chairs after their current terms expire. He also presented Joe Gattuso with a Certificate of Appreciation for his service as Designated Federal Officer.

Assistant Secretary Strickling announced that NTIA had decided to re-charter the Committee and has put out a notice requesting people to re-nominate themselves and seeking new applications. He said that the committee would support NTIA's effort over the next two years to find the 500 megahertz of spectrum to be allocated to commercial broadband use as directed by the President last summer.

Assistant Secretary Strickling reviewed the input from the November meeting in which members provided ideas for the committee and said that NTIA wants to implement many of the recommendations, noting, among other things, meeting improvements such as more time for expert panels, more staff reactions, and improved working methods. These matters will be reviewed again when the committee resumes after rechartering.

Presentations: Status of Administration Spectrum Activities

White House Update: Phil Weiser, Senior Advisor for Technology and Innovation. Mr. Weiser discussed legislation and the activities in the Administration related to spectrum policy, including incentives, test beds/demonstration projects, an innovation fund and public safety. Mr. Weiser took questions from committee members.

Status of Administration Spectrum Activities: Karl Nebbia, Associate Administrator, NTIA Office of Spectrum Management. Mr. Nebbia discussed the process that went into the recent NTIA spectrum report and what bands were considered to meet the goal of making spectrum available within 10 years. He spoke about where NTIA is on its spectrum search and what it needs to look at in the future. Recent discussions, he said, had concerned the 1755 to 1780 MHz band. He also discussed the ranges of transition times involved. One of the issues he raised is whether industry is willing to move into bands where they may get interfered with once in a while, which becomes a sharing issue. He said NTIA would be looking at technical solutions to sharing. In conclusion, he said NTIA wants to hear from industry and that NTIA would create an open and interactive process.

Public Comment

- **Mike MacCarthy, Georgetown.** Mr. MacCarthy referred to an Aspen Institute Spectrum Conference in February that focused on strategic opportunities for long-term improvements in spectrum management, with a report expected in March 2011.
- **Jim Snider, iSolon.org.** Mr. Snider discussed the efforts to implement the President's Open Government Directive. He agreed there has been some improvement (by the CSMAC), such as in the quality of the meeting transcripts, but also identified other areas

that have either not improved or gotten worse. Mr. Snider also requested an update on the Committee's progress concerning posting applicants' statements of qualifications and applications.

Adjournment

Co-chair Tramont adjourned the meeting at approximately 12:24 p.m.

Certified by the Designated Federal Officer while the position of chair is vacant:



Date:

2/22/11

Joseph L. Gattuso

Designated Federal Officer