

Report of Working Group 1 of the Commerce Spectrum Management Advisory Committee

January 14, 2021

Working Group 1 (“WG 1”) was tasked with revisiting the terms of the now 15 year old Memorandum of Understanding between NTIA and the FCC on spectrum. By design, Congress vested each agency with distinct responsibilities for management of the national spectrum resource. Although in the vast majority of cases the two entities have worked cooperatively and effectively to deliver important benefits to the public, that has not always been the case. In recent years, there have been numerous commentaries expressing concern that the current system can result in delay or dysfunction.

In an effort to update the Memorandum of Understanding, we have focused on ways in which the two partner agencies can work more smoothly, cooperatively and efficiently together to achieve positive outcomes for the country moving forward. We do not believe these reforms will solve all of the challenges in our increasingly complex spectrum world, but reform here should be seen as a foundation for future progress. The reforms we recommend include:

- Expands the purpose of the MOU to reflect the realities of the importance of spectrum in the United States overall, including economic, national security, safety and otherwise.
- Expands the areas addressed under the MOU to include spectrum planning and sharing, and international issues including those being addressed at the ITU’s World Radiocommunication Conference, and standards issues as they relate to spectrum.
- Provides for a meeting of the heads of the FCC’s Office of Engineering and Technology and NTIA’s Spectrum Management to plan for the next principles’ meeting, as well as increases and clarifies the time frame for review of routine and non-routine items.
- Creates a standing working group spectrum planning and initiatives, including the development of a common set of metrics and best practices to better assess and predict the potential for harmful interference.
- Notes that the FCC and NTIA should consider creating a joint path for escalation of contentious issues arising under the MOU that can be taken on a timely basis.
- Includes a three year review period for the MOU to ensure it is reviewed for possible update on a regular basis.

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