

**Minutes of the
U.S. Department of Commerce
Commerce Spectrum Management Advisory Committee
December 13, 2006**

Meeting Date and Time:

December 13, 2006, 10:30 a.m. to 12:30 p.m.

Location:

Herbert C. Hoover Department of Commerce Building
1401 Constitution Ave. NW Room 4830
Washington, DC 20230

Purpose:

First meeting of the advisory committee

Committee Members in Attendance:

Dale N. Hatfield (Chair); Dr. David E. Borth; Martin Cooper; Mark E. Crosby; James B. Goldstein; Alexander H. Good; Robert M. Gurss; Dr. Kevin C. Kahn; Hilda Gay Legg; James Andrew Lewis; Dr. Mark A. McHenry; Darrin M. Mylet; Janice Obuchowski; Robert Pepper; R. Gerard Salemme; Bryan Tramont; Mark Tucker; Jennifer Warren

NTIA Staff:

John M.R. Kneuer, Assistant Secretary for Communications and Information
Eric Stark, Associate Administrator for Policy Analysis and Development and Acting
Designated Federal Officer
Joe Gattuso, Senior Policy Advisor

Public Attendance:

Approximately 24 members of the public were present at the meeting, as well as additional staff from NTIA.

Meeting Agenda:

The meeting followed the issues presented in the meeting agenda (Attachment A)

1. Call to Order and Welcoming Remarks: Assistant Secretary (A/S) Kneuer opened the meeting and introduced Dr. David Sampson, Deputy Secretary of Commerce, who gave welcoming remarks.

A/S Kneuer administered the oath of office to the committee members. He then announced that he was appointing Dale Hatfield to chair the committee.

2. Introduction of Advisory Committee Members: Each of the members spoke briefly in turn to introduce themselves.

A/S Kneuer gave remarks on his views and expectations of the committee. He stated that the committee came from the President's Initiative to reform spectrum policies. He observed that the vast majority of all spectrum allocations are on a shared basis, and that while historically the issues of federal and non-federal spectrum operators didn't overlap, increasingly the divisions are harder to define. He said that within the Commerce Department and NTIA, there is a vehicle for getting input from federal agencies, the Interdepartment Radio Advisory Committee (IRAC), but not from non-federal users, and this committee is intended to bridge the gap. A/S Kneuer also noted that another outgrowth of the President's initiative was OMB's guidance that when proposing new systems, agencies must represent that there are no other less spectrum-dependent solutions available. Guidance from the committee on spectrum efficiency would be helpful as they make those procurement decisions.

A/S Kneuer said that the three subject areas identified in the 2004 report -- broadband, public safety, and the digital television transition -- are important, but the committee should not be limited to these issues.

Chairman Hatfield said that there are some important advances in technologies that can be helpful. He suggested that the committee make sure that the Commerce Department and the IRAC are aware of some of the technical possibilities available and then figure out how to provide the right incentives to result in better use of this precious resource.

3. Presentation of Advisory Committee Structure and Mission: A/S Kneuer recommended that the committee establish two subcommittees, one to address technical sharing efficiencies and one to address operational sharing efficiencies. He added that a subset of both of those issue areas and a possible future course of work would be how to incentivize the Federal Government to realize the efficiencies.

Regarding technical efficiencies in particular, A/S Kneuer noted that one of the recommendations of the President's Spectrum Policy Initiative was the creation of a Spectrum Test Bed, in which NTIA and the FCC would each identify a portion of spectrum to test new technologies. A/S Kneuer proposed that the committee look at the state of the technology and technical efficiencies, including a review of NTIA's public record on this issue.

A/S Kneuer said that he would leave it to Chairman Hatfield to organize the subcommittees.

Dr. Pepper raised a question about involving engineers and technical experts in the work of the subcommittees and how it would work procedurally. A/S Kneuer stated that decisions would be made in public by the full committee, and subcommittees are not decisional bodies. He added that the members would benefit from the experience and knowledge members get in the course of their work and that he didn't believe there is a restriction on the members forming themselves with their opinions based on discussions with whomever they think is appropriate.

Mr. Lewis said that he remembered that members can bring in outside expertise as long as they report back to the open meeting what they've talked about. In discussion, Mr. Lewis clarified that he was not talking of expanding the group but getting the advice of people working on the technology and bringing them to the subcommittee meetings.

Chairman Hatfield agreed and pointed out that the FCC would bring in outside experts to stimulate discussion and convey information but the formal committee makes recommendations based on that advice.

Mr. McHenry asked what the deliverables were and when they would be expected. There was discussion between A/S Kneuer and members concerning this issue. A/S Kneuer characterized it as a matter of months. Mr. Tramont summarized by saying there would be two subcommittees, products from those subcommittees, then a follow-on stage looking at, among other things, incentives for more efficient use. A/S Kneuer agreed.

Mr. Gurs said about the task of the operational subcommittee. A/S Kneuer stated that although the docket is not public, NTIA is reviewing the WARN system in the District of Columbia. He said that the committee could begin by providing a survey of the best practices of those engaged in the public safety space.

Mr. Tucker asked about the scope of the committee and whether it would deliver a policy recommendation to the President or to NTIA or address spectrum allocation. He also noted that while he supports breaking things into separate groups, the matters are related to each other. A/S Kneuer stated that the recommendations come back to NTIA, and that they will inform NTIA's work on the President's Spectrum Policy Initiative and be shared with agencies. He agreed with Mr. Tucker on his second point. Regarding allocation of spectrum and processes for doing that, A/S Kneuer said that the committee had to be realistic and in making recommendations that are near-term achievable.

Mr. Salemme asked whether the committee's scope included looking at the economic benefits of spectrum use. A/S Kneuer agreed that it did.

Mr. Good raised issues to illustrate the balancing of issues ranging from specific recommendations to structural changes and asked whether the committee would look at

all spectrum users. A/S Kneuer agreed that he wouldn't stop at making federal users more efficient; he encouraged the committee to look at all spectrum users.

Mr. Lewis asked about the process and output after the subcommittees go back to the full committee with their ideas. A/S Kneuer said that the output of the committee depends on what the members think is realistic. He suggested also that the next meeting needn't be in Washington, but that the committee should go out to the real world.

A/S Kneuer asked what a realistic time frame would be. Mr. Crosby said that by the first quarter the subcommittees might be able to talk only about one or two things, but it might only be determinable after the subcommittees meet.

Ms. Warren asked that if A/S Kneuer were asking for a set of tasks done in stages, whether the question was about the time frame for the test bed. A/S Kneuer agreed, and added that he didn't think it realistic to expect a 500 page technical analysis, but instead thoughtful, candid views on what has already been put into the public domain. He added that on the operational side, NTIA can give the members things in the public record on the WARN system, which would be something concrete to look at.

Chairman Hatfield said a well defined problem is half solved and said that he likes to begin with an outline of the final report, not of the substance but what is going to be in it. He suggested that the first deliverable be an interim report on the test bed. He also suggested looking at the meaning of technical efficiency.

Chairman Hatfield agreed that the committee could begin to look at incentives already in place and begin to think about economic incentives. A/S Kneuer added that the committee should use the President's spectrum initiative as a guide for its work.

Ms. Obuchowski recommended that the committee give preliminary feedback within a quarter, recognizing that it may be preliminary. To the extent that the committee has big ideas, she said, the committee can then send those to the NTIA staff to figure out what the committee can do as their next assignment.

Mr. Gurss asked what kind of staff support the committee would have. A/S Kneuer stated that a federal official would work with the Chair and that NTIA has other resources.

Dr. Cooper said that one of the more important things the committee can do is create a long-term context for all the short term solutions.

Ms. Legg observed that the plan is a division of work with a short timeframe and a communications system for the committee. As soon as they get the information from NTIA, she said, the subcommittee could start emailing back and forth.

Chairman Hatfield stated that as soon as they develop their scope of work and know the objective, then they can break it into individual tasks. He said he can think about the tasks and set deadlines.

As the first order of business, Chairman Hatfield said, they would work by email to express interests in subcommittees. He reserved the right to designate people to subcommittees so they have balance and a fair division of resources and labor. He agreed, however, that there is crossover between the subcommittees.

Public Comments: A/S Kneuer invited members of the public to offer thoughts or observations from the floor, but there were none.

Closing Remarks and Adjournment: A/S Kneuer thanked the public for coming to the meeting and thanked all of the committee members for their schedules to participate on the committee.

Respectfully submitted,

Meredith Baker
Designated Federal Officer

Date:

I hereby certify that these minutes of the December 13, 2006 Commerce Spectrum Management Advisory Committee are true and correct to the best of my knowledge.

Dale N. Hatfield
Chair

Date: