STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL

RE: *Facilitating Shared Use in the 3.1-3.55 GHz Band,* WT Docket No. 19-348

This Notice of Proposed Rulemaking is the kind of forward-looking, proactive effort we need to start freeing up valuable mid-band spectrum for next-generation 5G wireless services.

In it, we recognize that our federal partners at the National Telecommunications and Information Administration actively are studying opportunities to make the 3.1-3.55 GHz band available for 5G use. But rather than sitting on our hands while that work is being done, we are here today getting a head start. We are taking steps to clean up our own house so that when the time is right we can move quickly to repurpose some or all of this band for new uses. To this end, today's rulemaking asks questions about removing non-federal, secondary allocations and relocating incumbent users. This is the preliminary stuff. The truth is we have a long way to go before this set of airwaves can be opened for 5G. Still, this effort is a small step in the right direction and it has my support.

When it comes to mid-band spectrum for 5G I think one thing is clear: we need to move more and move faster.

That's why when the agency started a proceeding to slow down plans to bring mid-band spectrum in the 3.5 GHz band to auction, I dissented.

It's why when the agency passed up an opportunity to reimagine the 2.5 GHz band for 5G and instead opted for a messy and limited auction instead, I dissented.

It's why when the agency prioritized auctioning its third, fourth, and fifth millimeter wave bands this year before what could have been its very first mid-band auction, I dissented.

And it's why when the agency started a rulemaking on the C-band, I suggested that if we wanted to avoid delay we should include Congress in our work—but that too was ignored and now we are paying for it in lost time and fresh ambiguities about authority.

Here's the truth. If you survey these proceedings you will see that our spectrum policies are increasingly divorced from the realities on the ground in the United States and the priorities in the rest of the world—and this has consequences for our wireless leadership, digital divide, and national security.

If you want evidence, you don't need to take my word for it. Earlier this year the Defense Innovation Board—the United States military's premier advisory board of academic researchers and private sector technologists—surveyed the state of next-generation 5G networks and issued a sober warning. They found that "the country that owns 5G will own innovations and set the standards for the rest of the world," and "that country is currently not likely to be the United States."

Why is that? Our failure to move fast on mid-band spectrum. As the experts on the board stated, "the FCC is currently prioritizing mmWave over sub-6 mid-band spectrum . . . but this is a fundamentally flawed focus."

They're right. To date the Federal Communications Commission has focused its early efforts to support 5G wireless service by bringing only high-band spectrum to market. The rest of the world does not share this singular, early focus on high-band, millimeter wave airwaves. In fact, at least sixteen countries have already auctioned mid-band spectrum specifically for the provision of 5G wireless

services. They include Australia, Finland, Germany, Italy, Ireland, Japan, Kuwait, Latvia, Mexico, Oman, Qatar, Saudi Arabia, South Korea, Spain, the United Arab Emirates, and the United Kingdom. In addition, China allocated mid-band spectrum for 5G use last year.

But in the United States, we have yet to auction a single swath of mid-band spectrum. To date, we have brought exactly zero megahertz of mid-band airwaves to market in the 5G era. Rather than recognize this reality, this agency has simply insisted that all bands matter and all is well. But that is clearly not the case when you look at efforts abroad or right here at home where our carriers are chomping at the bit for mid-band resources.

So today's effort to identify non-federal, secondary allocations in one swath of mid-band airwaves has benefits, but it's not enough. Because the evidence demonstrates very clearly that for too long the United States has been alone in its mission to make millimeter wave the center of our early 5G approach. This is a problem. It means we could find ourselves on the sidelines as mid-band spectrum becomes the core of worldwide 5G service. That means less scale, higher costs, and interoperability challenges. It also means—as I noted upfront—new challenges for national security, the digital divide, and our wireless leadership.

First, national security. Just over a month ago I testified before the Senate Committee on Homeland Security and Governmental Affairs that the most important step the United States can take to secure its networks in the short term is to make more mid-band spectrum available. Right now, in many of these airwaves worldwide there is only one Chinese vendor offering equipment. That means countries that are already building their 5G networks using mid-band spectrum do not have a competitive choice for secure equipment. But in the United States we have unique skill and scale. When deployment takes place here, vendors follow. And when we expand the market for secure equipment at home, it also grows abroad. On the heels of this hearing, the bipartisan leadership of the Senate Committees on Homeland Security and Government Affairs, Intelligence, Foreign Affairs, and Armed Services wrote the White House about this kind of problem and the lack of a national plan for 5G and security. They say we need one. They're right.

Second, the digital divide. Making millimeter wave spectrum the focus of our early 5G efforts is deepening the divide between rural and urban America. Recent commercial launches of 5G service in the United States using these airwaves are confirming what we already know—that commercializing millimeter wave will not be easy, given its propagation challenges. The network densification these airwaves require is costly, and this makes it unsuitable for rural areas. So if we want to serve everywhere in this country—and not create communities of 5G haves and have-nots—we need mid-band airwaves that provide both coverage and capacity, and we need them now. But just this week, the FCC kicked off yet another high-band spectrum auction. This one has a record-setting 3,400 megahertz of spectrum that will again largely only provide capacity opportunities in urban America. So I'll say it again. There is simply no reason we should be auctioning the 37, 39, and 47 GHz bands now before a mid-band auction of the 3.5 GHz band.

Third and finally, we are ceding international leadership when it comes to 5G. The findings of the Defense Innovation Board made it clear that we chose the wrong road in the race to 5G. We headed out with an exclusive focus on millimeter wave and got left behind by other nations that took action early on mid-band airwaves. It's time to correct course. We need to do it with urgency.

I worry that we don't have that sense of urgency. The plea to the White House from the bipartisan leadership of the Senate Committees on Homeland Security and Government Affairs, Intelligence, Foreign Affairs, and Armed Services has gone unanswered. We still don't have a national plan for 5G and security. We still don't have a national spectrum strategy. This was the subject of an

Executive Order last year and a national spectrum plan was due back in July. And this agency still hasn't held an auction of mid-band spectrum in the 5G era.

These are challenges. We need to own up to them. Because if we want to secure global leadership, solve the digital divide, and secure our networks for the next generation, we have serious work to do.