



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Mike Quigley
Chairman
Committee on Appropriations
Subcommittee on Financial Services and General Government
U.S. House of Representatives
2000 Rayburn House Office Building (G Floor)
Washington, DC 20515

Dear Chairman Quigley:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Steve Womack
Ranking Member
Committee on Appropriations
Subcommittee on Financial Services and General Government
U.S. House of Representatives
1016 Longworth Office Building
Washington, DC 20515

Dear Ranking Member Womack:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Chris Van Hollen
Chairman
Committee on Appropriations
Subcommittee on Financial Services and General Government
United States Senate
S-128 The Capital Building
Washington, DC 20510

Dear Chairman Van Hollen:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Cindy Hyde-Smith
Ranking Member
Committee on Appropriations
Subcommittee on Financial Services and General Government
United States Senate
125 Hart Senate Office Building
Washington, DC 20510

Dear Ranking Member Hyde-Smith:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Maria Cantwell
Chair
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, DC 20510

Dear Chair Cantwell:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Roger Wicker
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
425 Hart Senate Office Building
Washington, DC 20510

Dear Ranking Member Wicker:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Frank Pallone
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Pallone:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Cathy McMorris Rodgers
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member McMorris Rodgers:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Gary Peters
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Peters:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
442 Hart Senate Office Building
Washington, DC 20510

Dear Ranking Member Portman:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Maloney:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

January 12, 2022

The Honorable James R. Comer
Ranking Member
Committee on Oversight and Government Reform
U.S. House of Representatives
2471 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Comer:

On July 19, 2021, the Government Accountability Office (GAO) publicly released a report entitled “Spectrum Management, Agencies Should Strengthen Collaborative Mechanisms and Processes to Address Potential Interference” (Report). The Report “examines (1) the extent to which the cognizant federal agencies follow leading practices in collaborating on potential interference effects on weather forecasting, (2) how, and the extent to which, NOAA and NASA identify and raise concerns regarding potential interference to their satellite instruments, and (3) the cognizant agencies’ processes, requirements and capabilities to conduct and review technical interference studies.”

The Report makes eleven recommendations for executive action, five of which are addressed to the Chair of the Federal Communications Commission (FCC or Commission): (1) establish clearly defined and agreed-upon processes for making decisions on spectrum-management activities that involve other agencies, particularly when consensus cannot be reached, in consultation with the National Telecommunications Information Administration (NTIA) and—as appropriate—the Department of State (State); (2) clarify and further identify shared goals or outcomes for spectrum-management activities that involve collaboration and ways to monitor and track progress, in consultation with NTIA and—as appropriate—State; (3) update the FCC-NTIA Memorandum of Understanding (MOU) to address identified gaps (such as the lack of clearly defined goals and agreed-upon processes for making decisions) and develop a means to continually monitor and update this agreement, in consultation with NTIA; (4) request that State initiate a review of the General Guidance Document—in consultation with FCC, NTIA, and other relevant participants—and update and develop a means to continually monitor and update this document; and (5) establish procedures to help guide the design (including selection of acceptable assumptions and methodologies) of spectrum-sharing and potential-interference studies intended as U.S. contributions to the International Telecommunication Union (ITU) technical meetings, in consultation with NTIA, State, and other federal participants of the U.S. technical preparatory process. The Report made similar recommendations addressed to NTIA.

I appreciate the recommendations GAO provides in the Report as to how the Commission, as well as our federal partners, can be better positioned to coordinate and collaborate on spectrum matters involving non-federal and federal use domestically as well as improve the process to achieve consensus to present unified U.S. positions and proposals on spectrum matters in international forums. In their May 19, 2021 comments on GAO's draft report (FCC Comment Letter), the Chief of the International Bureau and the Acting Chiefs of the Office of Engineering and Technology and the Wireless Telecommunications Bureau, noted that the Commission is committed to ensuring appropriate, continued coordination and collaboration with our federal partner agencies, relying on data driven processes and promoting transparency, as we carry out our spectrum management mission and duties consistent with the law. They also agreed to work collaboratively with NTIA and State to respond to GAO's recommendations. I echo these same sentiments.

As recognized in the FCC's Comment Letter, the FCC-NTIA MOU has provided a valuable framework for the ongoing FCC-NTIA relationship and we are closely reviewing the many suggestions for updating the document, as well as monitoring pending legislation that addresses the MOU, and look forward to working with leadership at NTIA to carefully consider all potential changes and modernize the MOU.

The FCC, as an independent agency, plays a unique role in regulating domestic spectrum matters. Specifically, the Communications Act established a division of authority between the Commission, which manages non-federal use of spectrum, and the executive branch (since delegated by Congress to NTIA), which manages federal use of spectrum. In this role, the FCC works cooperatively with executive branch agencies consistent with the law and through established procedures. We are working to close gaps in our processes and are considering responsive changes in our procedures to improve coordination and cooperation in addressing non-federal and federal users' spectrum sharing and to answer difficult questions involving the potential for harmful interference between federal and non-federal spectrum users. We also are mindful of the fact that the Commission necessarily is bound to follow its governing statutes, and to act consistently with the decisions it has made in promulgating generally applicable regulations through the public notice-and-comment rulemaking process mandated by the Administrative Procedure Act.

Actions are also underway to finalize our review and update of the *General Guidance Document*. The FCC has provided input to State on ways to update and improve the document. We look forward to continuing to work with State and NTIA on improving the consensus building processes to present unified U.S. positions in international forums, particularly as the U.S. government continues its preparations for the ITU's World Radiocommunication Conference to be held in 2023. We also continue to offer our expertise and experience in guiding the design of studies intended as U.S. contributions to international technical meetings.

I appreciate the opportunity to comment on the Report and would be happy to discuss further if you have any questions. We look forward to continuing to engage with GAO in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel

cc: The Honorable Eddie Bernice Johnson
The Honorable Frank Lucas