

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS**

Re: *Promoting Efficient Use of Spectrum through Improved Receiver Interference Immunity Performance.* ET Docket No. 22-137, Notice of Inquiry (April 21, 2022)

This Notice of Inquiry has been a long time coming. Nearly 20 years ago, the Commission took its first hard look at addressing the issue of receiver performance. Unfortunately, a wide variety of factors ultimately caused that proceeding to close without final action. Ten years later, there was yet another attempt at the issue of receiver performance, but once again, no final FCC action took place, even as our spectrum demands grew.

This continued surge in spectrum usage has now brought us here, and it's high time to reopen our inquiry into a whole-of-system approach to spectrum management. As today's NOI rightly emphasizes, we have always had the authority to "regulate interference between stations." While it's well established that this authority reaches transmitters, it's time to focus on receivers as well.

In fact, the onus of protection we've placed on transmitters is hard to continue to justify. Borrowing the analogy of Pierre DeVries, if we compare the receiver performance issue to a neighborhood dispute, we've spent the past two decades forcing homeowners to speak in no more than a whisper to avoid disturbing their neighbors.¹ That's not fair.

From my perspective, broadening our focus to encompass receiver performance could also have significant benefits for national security, public safety, and competition. As it stands, our markets are flooded with inexpensive receiving devices, many designed and manufactured overseas. While these devices may be functional, they could be susceptible not only to unintentional interference but also to nefarious interference events like jamming and spoofing. Fortunately, this issue might be mitigated, if not remedied, by improvements in receiver performance. To that end, I'm grateful to my colleagues for agreeing to my request to include language in the NOI seeking comment about this issue.

Of course, to realize these benefits, it is imperative to strike a regulatory balance that favors innovation. Overly sensitive receivers may limit spectrum usage, but overly prescriptive standards might stifle receiver innovation and ultimately do more harm than good. It is a counterfactual, but what if our historic approach towards wireless use and transmitter equipment authorizations has, in some measure, stifled innovation? What's the best approach to encourage innovation for both receivers and transmitters? I appreciate that the NOI now includes my questions on achieving this regulatory equilibrium.

It won't be easy, and Federal agency coordination remains a critical part of the mission. We can only move forward on the issue of receiver performance if we act in collaboration with NTIA, since any action here will inevitably impact the interests of Federal agencies and their stakeholders. Emerging technologies will continue to run up against the interference concerns of incumbents, as our experiences in the C-Band, the L-Band, and the 6 GHz band show. There is room for improvement, and for this proceeding to succeed, we must seek common sense solutions and buy-in from all the key actors, including our Federal partners.

Today's Notice of Inquiry represents a great first step, and I applaud everyone who has brought it to this point. In particular, I commend Commissioner Simington for his leadership on this topic and

¹ *The Role of Receivers in a Spectrum Scarce World: Hearing Before the H. Subcomm. On Commc'ns and Tech., 112th Cong. 15 (2012) (statement of Pierre de Vries, Senior Adjunct Fellow, Silicon Flatirons Center for Law, Tech., and Entrepreneurship, Univ. of Colorado at Boulder).*

Chairwoman Rosenworcel for prioritizing it within the agency. I'd also like to thank the innumerable supporters—both from within and without the FCC—who have kept the issue of receiver performance alive over the past two decades. Much of their work is rightfully recognized in the NOI itself, and all of that credit is well earned and well deserved.

I look forward to all of the thoughtful comments on this topic and to the progress that we can achieve alongside our Federal and commercial partners. My thanks to OET for their hard work on this proceeding.