

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Facilitating Shared Use in the 3100-3550 MHz Band*, WT Docket No. 19-348

I have faith that the United States can lead the world in the next generation of wireless technology. But that conviction is not the same as destiny. We will lead if we plan.

On that front, we have work to do. It was two years ago that we first saw an Executive Order entitled Presidential Memorandum on Developing a Sustainable Spectrum Strategy for America's Future. It boldly called for a new national spectrum policy. But that plan was due more than a year ago. It still doesn't exist.

That's a shame. Because in its place this agency is doing what it can with the authority it has. But it is becoming increasingly clear that different parts of our government are pulling in different directions when it comes to spectrum policy. We've had too many noisy disputes to count, with this agency pursuing one course and others, including the Department of Commerce, Department of Defense, Department of Transportation, and the Federal Energy Regulatory Commission, pushing in public to pursue another. Plus, on matters of equipment security we have had public disputes between the Attorney General and the National Economic Council about the best path forward. Needless to say, a 5G plan requires a whole-of-government approach. We should be working together, in the same direction.

This brings me to the effort we begin in earnest today. In this decision, the Federal Communications Commission removes the non-federal radiolocation and amateur allocations in the 3.3-3.5 GHz bands. In addition, the agency seeks comment on a plan to make the top 100 megahertz in the 3.45-3.55 GHz band available for commercial use. This is good news because the United States is behind other countries in mid-band spectrum availability and quick delivery of these airwaves will help us close that gap.

But I fear here we go again. Because there is still no government-wide plan. The White House and the Department of Defense have teamed up to develop what is being called America's Mid-Band Initiative Team, or AMBIT. The AMBIT initiative helped clear the way for our work in the 3.45-3.55 GHz band today. This is good. But less than a week after the FCC offered its proposal for these airwaves, the Department of Defense started its own proceeding. It issued a request for information regarding the construction of a 5G communications network for itself, using a portion of the same spectrum we are looking at for expanding commercial use. Stand back and you see we have competing proceedings. This is not good.

All of this means we are heading into our wireless future with something less than a fully coordinated effort. We don't have a national strategy in place for 5G—and we badly need one.

Coordination matters. Not just for the big picture. We also need to think in a coordinated way about the band before us now, so we don't end up increasing interference and decreasing utility of our limited mid-band resources.

Here's what I mean. Today's rulemaking seeks comment on making 100 megahertz of new mid-band spectrum available for high-power 5G use. But we need to be mindful that new operations in the 3.45-3.55 GHz band could hinder success in the adjacent Citizens Broadband Radio Service. For example, we need to understand if federal operations that are vacating the 3.45-3.55 GHz band are planning to relocate to the CBRS band. If so, this would have consequences for ongoing commercial use of CBRS spectrum, because federal users have a preemptive right in these airwaves. This would be an

unfortunate outcome, especially when you consider that licensees collectively just spent more than \$4.5 billion to purchase CBRS spectrum at auction. But we lack information here about what relocation of federal users may look like.

Here's another coordination issue. Under the approach the FCC adopts today, the Department of Defense has identified a number of what it calls Periodic Use Areas. These are locations where it anticipates that from time to time it will need access to some or all of the 3.45-3.55 GHz band. But unlike the CBRS band this use will not be managed dynamically. So that creates real uncertainty for commercial users. While we seek comment on how spectrum coordination with the Department of Defense would work, history suggests this could be problematic. It sounds a lot like what happened with our framework for the 37 GHz band when at the eleventh hour the FCC and the Department of Commerce offered seemingly conflicting visions about how coordination will work.

Finally, coordination should compel us to consider a forward-thinking, holistic approach to the entire 3 GHz band. Remember we have proceedings in the near past, present, and future involving the 3.45 GHz band, the 3.5 GHz band, and 3.7 GHz band. We should consider how viewing these airwaves together could maximize their use. To this end, we should take a long look at what we learned in CBRS about spectrum auctions, license sizes, and sharing rather than reflexively reverting back to the same-old, same-old.

In light of these concerns about coordination, I appreciate that my colleagues have agreed to my request to include additional questions in the rulemaking about how best to protect our recent success in CBRS and how we can create less uncertainty and more spectrum opportunity in the 3.45 GHz band. With these questions in mind, I approve today's effort. But I also hope we can find a way to align our efforts with others in the government. Because when we plan together and work together, our spectrum future is stronger.