

**The Honorable Henry Waxman**

- 1. I know several working groups were formed through the Commerce Spectrum Management Advisory Committee (CSMAC) to look at ways to either clear or share the 1755 to 1850 MHz band. I understand that a lot of progress has been made between industry and government participants of the process. In your view, what are some of the most valuable lessons learned? What were some of the most difficult challenges? How could this process help inform future efforts at clearing or sharing federal spectrum for commercial use?**

The CSMAC Working Group process offered a highly useful opportunity for industry-government collaboration. In general, CTIA's members believe that the CSMAC process was successful in facilitating technical discussions that have led to a much more robust understanding of how this sort of analysis should be conducted.

Challenges that arose during the process generally fell into two groups: procedural or technical.

On the procedural front, the Federal Advisory Committee Act (FACA) structure imposed on the working group process posed a challenge. While the FACA requirements are intended to ensure transparency in the decision-making process, they proved to be a barrier to the efficient sharing of technical and operational data because of concerns on the part of the Defense Department and other federal agencies that sensitive information could be made public. While there is undoubtedly some legitimacy to federal users' concerns in this area, this lack of sharing and the tendency to categorize information "For Official Use Only" impedes the ability of private sector working group participants to gain full and timely access to critical information.

Additionally, when industry proposed the creation of "trusted agents" (a select group of industry representatives with appropriate clearances and subject to non-disclosure agreements), it took many months to work through the process. It would be helpful in the future to identify and approve "trusted agents" on the front-end of the process.

On the technical side, having both industry and government agree to and understand specifically what the goals are of the work effort are, i.e., relocation, sharing, reviewing sub-bands in addition to an entire band. The approach being taken should also be agreed to and understood prior to initiating technical analysis would provide more accurate evaluation and increased efficiency.

Additionally, when technical analysis is ongoing, efforts should be made to proceed with work on other issues. In this instance, when interference analysis was ongoing, there were sometimes weeks or months that went by during which no work was done. This was a lost opportunity and the cause of unnecessary delay.

Finally, more needs to be done to ensure that industry and government agree on important matters like interference protections. As almost every industry member of the CSMAC noted in their August 29 separate statement, “the analysis performed in each of these working groups was both conservative and limited. We believe that additional effort should be initiated that would greatly mitigate the protection zones for Federal operations including, but not limited to, considering other effects such as clutter, more reasonable interference protection limits and considering a more representative LTE system model. We believe that many of the current analysis results do not represent the real-world interference environment between Federal and commercial users.” This situation should be remedied in future efforts.