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Congress of the United States
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January 8, 2021

The Honorable Joseph R. Biden, Jr.,
President-elect 1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Dear President-elect Biden,

The global wireless communications marketplace has reached a pivotal moment: 5G, Wi-Fi 6, and satellite broadband are in the early stages of deployment and have the potential to create significant economic opportunities for American workers. For the United States to maintain its global leadership in these technologies, the federal government must have a national spectrum strategy that is consistent, concerted, and effective. As Vice Chair of the Energy and Commerce Subcommittee on Communications and Technology and a Co-Chair of the Congressional Spectrum Caucus, I believe it is imperative that your Administration's strategy include a unified approach to spectrum policy and a clearly articulated process for resolving interagency disputes.

Over the past four years, significant conflicts between federal agencies have caused costly delays in making needed spectrum available for commercial use while also creating severe uncertainty for both federal and non-federal users. These frequent, public conflicts encouraged a combative rather than collaborative posture among federal agencies and often necessitated congressional intervention. This spectrum management approach is untenable. Non-federal users deserve the certainty needed for long-term strategic investments and, as federal stewards, agencies deserve the requisite resources to fulfil their mandates.

As demand for spectrum increases, more intensive use of federal spectrum will be necessary. This will require new coexistence and sharing techniques that have the potential to cause friction between federal agencies and non-federal users. When these conflicts arise, it will be important that all federal agencies involved are aware of Administration policy and understand how to provide feedback in a constructive manner. A well-defined collaborative process will help prevent individual agencies from pursuing policies that benefit themselves alone or that come at the expense of other federal users.

To that end, the 2012 report from the President's Council of Advisors on Science and Technology entitled *Realizing the Full Potential of Government-Held Spectrum to Spur Economic Growth* recommended that any framework for dispute resolution should be dependable, timely, and efficient. While this recommendation was intended for interference disputes, the features outlined in the framework could also be applied to allocation decisions. I

encourage you to incorporate these three principles when implementing your Administration's dispute resolution process.

A unified Administration spectrum policy will also be valuable when there are disagreements between federal and non-federal stakeholders, subject to the oversight of the National Telecommunications and Information Administration (NTIA) and the Federal Communications Commission (FCC), respectively. NTIA's role as manager of the federal government's use of spectrum is vital and should be respected and supported. This role allows NTIA to effectively represent federal interests before the FCC and also ensures that the FCC is not forced to interpret divergent messages from individual federal agencies. The relationship between the two agencies is critical and may benefit from a reevaluation of the existing Memorandum of Understanding to determine whether updates are or are not needed to ensure a transparent, consultative process.

For the United States to remain a global leader in wireless communications technology, the federal government must be a driving force in spectrum policy. For that to occur, coordination, collaboration, and consistency are necessary. As Congress works with your Administration to Build Back Better, I believe a unified approach to spectrum management will support innovation and economic growth. I appreciate your consideration of this request and look forward to working with you on this important issue.

Sincerely,

A handwritten signature in blue ink that reads "Doris Matsui". The signature is fluid and cursive, with a long, sweeping tail on the "i".

Doris Matsui
Member of Congress