

## **Not A Zero Sum Game – Why Objections To The PCAST Report Make No Sense.**

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It is difficult to imagine why the report from the President’s Council and Advisers on Science and Technology (PCAST) on the future of federal spectrum would engender controversy, let alone rabid opposition. In a world where policymakers constantly fret over maintaining sufficient access to wireless capacity for meeting rapidly-increasing demand, the recommendation that we can expand commercial access by making “spectrum sharing the default” in bands previously allocated exclusively for federal use should be common sense. Indeed, the majority of stakeholders greeted the PCAST Report as a bit of welcome news on the “spectrum crunch” front. Unfortunately, a handful of academics, lobbyists and members of Congress remain convinced that spectrum policy is a zero-sum game where any advance in sharing federal spectrum comes at the expense of auctioning exclusive licenses.

Such an ideological approach cannot, of course, change the engineering or economic realities that make clearing new federal spectrum for auction impossible in the near-term. But it can have real costs. Insistence that we forgo spectrum sharing because any gain in spectrum sharing somehow undermines the value of exclusive licenses costs us as a nation much needed access to spectrum, while simultaneously ceding our current lead in spectrum sharing technology to our international competitors.

### **What PCAST Said**

The PCAST Report found that efforts to migrate federal users to clear frequency bands for auction, particularly in the frequency ranges useful for mobile broadband, had become increasingly expensive and complicated over time. PCAST expressed doubt that the military or other federal users could clear bands for auction in the relatively near term. This hardly constituted news. For the last several years, a steady stream of reports from agencies such as the National Telecommunications Information Administration (NTIA) and the Congressional Budget Office (CBO), as well as from advocacy groups and think tanks, have confirmed that the days of easily clearing federal spectrum bands to create exclusive licenses to auction to wireless carriers are gone. Clearing new spectrum for auction will take years, and may ultimately cost more than an auction could raise.

At the same time, however, technology for sharing spectrum among multiple users has developed to a point where non-federal users could operate low-power WiFi-type devices in bands allocated exclusively for federal use. Given the intense demand for all kinds of spectrum access – both high-power licensed use and low-power shared use – the Report recommended that rather than continue with the current system of allocating bands for exclusive federal use, federal users should share these frequencies with non-federal users on a non-interfering basis. Sharing of federal bands should become the default, recommended PCAST, with exclusive federal use continued only where necessary. Such

a policy shift would help alleviate the overall demand for access to spectrum, without interfering with the effort to migrate federal users from bands suitable for auctioning exclusive licenses.

In other words, the report recommended adding an additional approach to make more spectrum available. One would scan in vain to find any recommendation that the federal government give up on the continuing effort to free federal spectrum for auction -- unless one views spectrum sharing as intrinsically inimical to exclusive licensing. In that case, the recommendation that the federal government consider spectrum sharing as the default rather than view federal exclusivity as the default alone is sufficient to constitute an assault on clearing and auctioning.

### **An Ideological Opposition Is The Enemy of Positive Pragmatic Policy.**

Such an ideological, scorched earth approach may suit the lofty halls of academe where, as Henry Kissinger observed, politics are so vicious precisely because the stakes are so low. For the vast majority of stakeholders looking for pragmatic solutions to the problem of enhancing wireless capacity to meet ever-expanding need, viewing spectrum access as a zero sum game where any new development in sharing spectrum somehow undermines exclusive licenses is a luxury the spectrum starved cannot afford. Unfortunately, a handful of policy makers and die-hard lobbyists unwilling to abandon the orthodoxy of the past have embraced this Manichean view of a universe where the Gods of the Marketplace wage eternal battle for exclusive licenses against Socialist Demons supporting federal use or non-exclusive spectrum sharing. And while all the ideological devotion in the world cannot change the underlying facts identified by PCAST that make clearing and auctioning federal bands impractical in the near term, it is unfortunately possible to delay deployment of spectrum sharing technology. As in wireless networks themselves, a few well-placed but ill-configured transmitters can create sufficient interference to drown out any useful signal.