

BEFORE THE
United States Department of Commerce
National Telecommunications and Information Administration
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

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IN THE MATTER OF:)	
)	
Request for Comments)	Docket Number: 230308-0068
)	
)	
On the Development and)	
Implementation of a National Spectrum)	
Strategy for the United States)	
_____)	

COMMENT OF CENTER FOR INDIVIDUAL FREEDOM

April 17, 2023

The Center for Individual Freedom (hereinafter "CFIF") submits the following Comment to the National Telecommunications and Information Administration (hereinafter "NTIA") to encourage administrative modesty, neutrality and flexibility as it considers implementation of a national spectrum strategy for the United States, and that

the NTIA avoid engaging in favoritism by placing its proverbial thumb on the scales in favor of particular market policies or participants.

Evolving technology should ideally drive a federal spectrum strategy, rather than a rigid government spectrum strategy dictating technology.

CFIF is a non-profit, non-partisan organization established in 1998 for the purpose of safeguarding and advancing Constitutional rights and free market principles, as well as optimizing continued American innovation, prosperity, leadership, entrepreneurship and worldwide technological preeminence. As a central part of that mission, CFIF advocates for public policies that preserve our nation's legacy as a strong technological leader.

Pursuant to that mission, CFIF respectfully submits this Comment to advocate a federal spectrum strategy that best advances technological evolution most freely, effectively and efficiently.

More specifically, as the federal agency responsible for managing the federal use of electromagnetic spectrum and identifying additional spectrum for commercial use in the U.S., the NTIA should avoid imposing a one-size-fits-all model that favors any one spectrum allocation model - licensed, unlicensed, or shared-licensed - over others.

Constantly accelerating technological advance and increased connectivity raise concerns regarding spectrum scarcity due to greater congestion, which in turn demands a balanced spectrum strategy focused on efficiency and effectiveness, not bureaucratic rigidity. Licensed spectrum assigned to specific users on a fee basis for exclusive rights to specified frequencies has played a critical role, and will continue to play a critical role, but the same is true of unlicensed spectrum available on a non-exclusive basis for such

purposes as Wi-Fi and Bluetooth use. The same is also true for shared spectrum like the Citizens Broadband Radio Service (CBRS) model, which shows promise for efficient application of finite spectrum by enabling federal spectrum users to share certain bands with new commercial users.

Any national strategy excessively favoring one form of spectrum allocation over others, however, is likely to have the unintended effect of impeding development and proliferation of new technologies, with a one-size-fits-all regulatory model stifling innovation by making market entry for new technologies more difficult. That result must be avoided, and the ultimate decisions on how spectrum is allocated left to the Federal Communications Commission (hereinafter "FCC"), the expert agency on such matters. A federal spectrum strategy should not tie the hands of the FCC as it makes those decisions.

Accordingly, CFIF respectfully encourages the NTIA to avoid any policy that unfairly and unnecessarily favors one spectrum model over another, imposing what can become a suffocating regulatory model unlikely to be effective given the diversity of new applications and market users of spectrum. Instead, the NTIA should pursue a balanced, evenhanded approach that takes into account the unique needs of different applications and market participants. By pursuing that more unbiased model, the NTIA can help ensure that the U.S. remains the worldwide leader in telecommunications innovation and competitiveness.

Respectfully submitted,

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