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VIA ELECTRONIC FILING

Ms. Gloria Norwood
Lead Contracting Officer
Defense Information Systems Agency
6910 Cooper Avenue
Fort Meade, Maryland 20755

RE: Defense Spectrum Sharing Request for Information

The U.S. Chamber of Commerce appreciates the opportunity to provide comment on the Department of Defense’s (“DOD”) request for information (“RFI”)¹ on defense spectrum sharing and cautions against the development of infrastructure that would amount to a nationalized 5G network or efforts as previously proposed by Rivada and others. America’s private-sector led communications networks have made us the world leader, especially during the COVID-19 pandemic. The Chamber calls on DOD to refrain from developing a network that competes against the private sector, which is already working to deploy secure 5G across the country.

Private investment in America’s broadband networks have enabled world leading network capacity despite the massive shift to online work, school, and commerce. While regulators and network operators in other countries requested that network traffic be slowed to address congestion concerns, the FCC’s private-investment centered approach helped foster America’s network resiliency.² Government’s role should encourage a robust private sector which has contributed to America’s broadband success story. Since 1996, American communications companies have invested more than \$1.7 trillion dollars in capital investment.³ These same providers are now relying on billions in investments they have already made to build out America’s 5G networks.⁴

¹ Department of Defense, “Defense Spectrum Sharing Request for Information,” (September 18, 2020) *available at* https://beta.sam.gov/opp/4851a65e2b2d4d73865a0e9865b0c28a/view?keywords=spectrum&sort=-modifiedDate&index=&is_active=true&page=1

² Linda Hardesty, “CenturyLink helps slow OTT and gaming traffic in Europe during Covid-10,” Fierce Telecom (April 23, 2020) *available at* <https://www.fiercetelecom.com/operators/centurylink-slows-ott-and-gaming-traffic-europe-during-covid>.

³ Patrick Brogan, “U.S. Broadband Investment Continued Upswing in 2018) US Telecom (July 31, 2019) *available at* <https://www.ustelecom.org/wp-content/uploads/2019/07/USTelecom-Research-Brief-Capex-2018-7-31-19.pdf>.

⁴ Federal Communications Commission, “Spectrum Auctions Summary,” *available at* <https://www.fcc.gov/auctions-summary>.

We encourage DOD to avoid establishing a nationalized or wholesale communications network that could compete with the private sector. For example, on a smaller scale, subsidizing municipal broadband networks can crowd out private investment.⁵ It is unclear how any such nationalized network would be more timely, more secure, more efficient, and less costly than the 5G networks that are being deployed by the private sector. On a larger scale, Congress and the Administration should not develop competitors to the private sector such as the creation of a nationalized 5G network.⁶

A nationalization or wholesale network administered by DOD would erode certainty for companies that have already made significant investment in communications infrastructure, and thereby damage the nation's competitiveness. A government-run 5G network would devalue the spectrum granted and paid for with significant expense to wireless companies and discourage further private expenditures.

Not only does the business community object to a federally subsidized competitor to private communications network, there is bipartisan consensus that such an approach is faulty. For example, President Trump stated that “[i]n the United States our approach is private-sector driven and private-sector led. The government doesn't have to spend lots of money. Leading through the government, it won't be nearly as good, nearly as fast.”⁷

The Democratic leadership of the House Energy and Commerce Committee's key technology committees, Representatives Frank Pallone and Mike Doyle, have also vocalized that “[t]he Department of Defense's RFI on the creation of a government-owned and operated 5G network will do nothing but slow the deployment of this critical technology.”⁸ Federal Communications Commission Chairman Ajit Pai and the senior Democratic Commissioner Jessica Rosenworcel have also criticized an approach that embraces government-constructed 5G communications networks.⁹

The Chamber encourages DOD to work with the private sector in ways that are collaborative—not competitive—including strategies such as spectrum sharing when appropriate, and leveraging private industry investment in infrastructure and spectrum to address connectivity needs. We additionally request that DOD not issue any requests for proposal

⁵ T. Randolph Beard, et al, *The Law and Economics of Municipal Broadband*, 73 Fed. Comm's L. J. (September 9, 2020) available at www.fclj.org/wp-content/uploads/2020/09/MunicipalBroadbandArticleFINAL.9.2.20.pdf.

⁶ Jordan Crenshaw, “Let the Private Sector and Free Market Build the Nationwide Communications Network,” *U.S. Chamber Above the Fold* (March 21, 2019) available at <https://www.uschamber.com/series/above-the-fold/let-the-private-sector-and-free-market-build-the-nationwide-communications>.

⁷ Remarks by President Trump on United States 5G Deployment (April 12, 2019) available at <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-united-states-5g-deployment/>.

⁸ Press Release, “Pallone & Doyle on DOD's Request for Information on Creating a Government-Owned 5G Network,” (September 21, 2010) available at <https://energycommerce.house.gov/newsroom/press-releases/pallone-doyle-on-dod-s-request-for-information-on-creating-a-government>.

⁹ Press Release, “Statement of FCC Chairman Ajit Pai on the Future of 5G (January 29, 2018) available at <https://docs.fcc.gov/public/attachments/DOC-348903A1.pdf>; Margaret Harding McGill, “Republicans, industry shun idea of nationalized 5G network,” *Politico* (January 29, 2018) available at <https://www.politico.com/story/2018/01/29/nationalized-5g-network-republicans-industry-reaction-314978>.

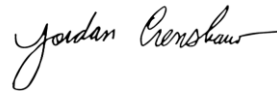
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pertaining to the developing of a nationwide 5G network. America's carriers, well on their way to three nationwide networks, with a fourth planned, are deploying 5G and will do it much more quickly and efficiently than an attempt by DOD to build one from the ground up.

For America to reap the benefits it did from 4G leadership, including \$100 billion in additional GDP¹⁰, it must rely on the ingenuity and investment of the nation's private technology and communications companies. Free enterprise is what separates America from its primary 5G rivals and it is what will enable it to remain the world's technology leader.

Sincerely,



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Chamber Technology Engagement Center

¹⁰ Michael Kratsios, "American Will Win the Global Race to 5G" Office of Science and Technology Policy (October 25, 2018) available at <https://www.whitehouse.gov/articles/america-will-win-global-race-5g/#:~:text=The%20United%20States%20is%20already,developed%20even%20more%20advanced%20applications>