

Spectrum Resources: Government Management & Oversight – Congress



Today, [government controls](#) a large portion of the nation’s spectrum resources and the remainder is allocated for consumer wireless access, broadcast TV, and other uses.¹

Spectrum is a sovereign asset. That is, use of the airwaves in each country is overseen by the government or the designated national regulatory authority, which manages the radio spectrum and issues spectrum licenses.

The Commerce Department’s National Telecommunications Information Administration ([NTIA](#)) manages the Federal Government’s use of the spectrum while the Federal Communications Commission ([FCC](#)) manages all other uses. As such, both agencies, along with Congress, play critical roles in allocating spectrum.

Congress – Since the passage of the Omnibus Budget Reconciliation Act of 1993, Congress has played a major role in allocating additional spectrum for commercial wireless industry use. In the 1993 legislation, Congress authorized the FCC to license spectrum through auctions, first with the Personal Communications Services (PCS) auction.

Congress has also authorized subsequent allocations and auctions to make additional spectrum resources available to meet the increasing demand for wireless broadband service. For example, Congress previously authorized the FCC to reallocate underutilized over-the-air television broadcast spectrum through a voluntary “incentive auction.” The FCC auction enabled broadcasters to exchange some of their spectrum in return for compensation obtained from winning bids on that spectrum from wireless providers.¹

More recently, Congress adopted the RAY BAUM’S Act of 2018 which, among other things, directs the NTIA and the FCC to find an additional 255 MHz of spectrum for reallocation to licensed and unlicensed services and review mid-band spectrum bands (3.7 GHz) and millimeter wave bands (42 GHz).



¹ See, Thomas K. Sawanobori & Robert Roche, *From Proposal to Deployment: The History of Spectrum Allocation Timelines*, <https://api.ctia.org/docs/default-source/default-document-library/072015-spectrum-timelines-white-paper.pdf>