

S.L.C.


AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2555

To provide opportunities for broadband investment, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. THUNE

Viz:

1 On page 3, line 17, insert “on a licensed or unlicensed
2 basis” after “available”.

3 On page 3, line 24, strike “(2)” and all that follows
4 through page 4, line 4.

5 On page 4, line 5, strike “BANDS” and insert “SPEC-
6 TRUM”.

7 On page 4, line 7, strike “bands”.

1 On page 4, line 8, strike “band” and insert “fre-
2 quencies”.

3 On page 4, line 10, strike “band” and insert “fre-
4 quencies”.

5 On page 4, line 12, strike “band” and insert “fre-
6 quencies”.

7 On page 4, line 14, strike “band” and insert “fre-
8 quencies”.

9 On page 4, between lines 15 and 16, insert the fol-
10 lowing:

11 (E) Spectrum that the Commission deter-
12 mines had more than de minimis mobile or
13 fixed wireless broadband operations within the
14 band on the day before the date of enactment
15 of this Act.

16 On page 5, line 22, strike “**EVALUATION**” and insert
17 “**SPECTRUM**”.

18 On page 5, lines 24 and 25, strike “or December 31,
19 2017, whichever comes earlier”.

1 On page 6, line 2, insert “, on Federal entities and
2 operations in any of the following bands,” after “the im-
3 pact”.

4 On page 6, line 4, strike “on Federal entities and
5 operations in any of the following frequencies with Federal
6 allocations” and insert “in the following bands”.

7 On page 6, strike lines 7 through line 18 and insert
8 the following:

9 (1) The band between 31800 and 33400 mega-
10 hertz.

11 (2) The band between 71000 and 76000 mega-
12 hertz.

13 (3) The band between 81000 and 86000 mega-
14 hertz.

15 On page 6, strike lines 22 and 23 and insert “respect
16 to frequencies allocated to Federal use by such entities
17 in the bands identified in that subsection;”.

18 On page 7, line 2, strike “the bands described in that
19 subsection” and insert “such frequencies”.

20 On page 7, strike lines 4 through 11.

1 On page 7, lines 12 and 13, strike “identify any
2 bands, or a portion thereof, described” and insert “iden-
3 tify any such frequencies in the bands described”.

4 On page 7, line 17, insert “AND THE COMMISSION”
5 after “CONGRESS”.

6 On page 7, lines 20 and 21, insert “and provide a
7 copy to the Commission” after “assessment”.

8 On page 7, line 23, insert “or 90 days after the date
9 it receives the feasibility assessment under subsection (c),
10 whichever is earlier” after “Act”.

11 On page 8, lines 5 and 6, strike “, except for any
12 frequencies with Federal allocations”.

13 On page 8, lines 8 and 9, strike “, except for any
14 frequencies with Federal allocations”.

15 On page 8, lines 14 and 15, strike “, except for any
16 frequencies with Federal allocations”.

1 On page 8, line 22, strike “bands” and insert “fre-
2 quencies with Federal allocations”.

3 On page 8, line 24, strike “the” and insert “a”.

4 On page 9, line 2, strike “bands” and insert “fre-
5 quencies”.

6 On page 9, strike line 16 and insert “**SEC. 5. 3**
7 **GIGAHERTZ SPECTRUM.**”.

8 On page 9, line 18, strike “3 years” and insert “18
9 months”.

10 On page 9, line 21, strike “President” and insert
11 “Commission”.

12 On page 10, line 2, strike “3 years” and insert “18
13 months”.

14 On page 10, line 3, insert “after notice and an oppor-
15 tunity for public comment” after “Act,”.

1 On page 10, lines 5 and 6, strike “President” and
2 insert “Secretary”.

3 On page 11, line 4, insert “through the assignment
4 of new licenses by competitive bidding, for sharing with
5 unlicensed operations, or through a combination of licens-
6 ing and unlicensed operations” after “wireless services”.

7 On page 11, strike lines 5 through 21 and insert the
8 following:

9 (d) COMMISSION ACTION.—The Commission, in con-
10 sultation with the NTLA, shall seek public comment on
11 the reports required under subsections (a) and (b), includ-
12 ing regarding the bands identified in such reports as fea-
13 sible pursuant to subsection (c)(4).

14 On page 12, line 13, strike “easement or right-of-
15 way” and insert “easement, right-of-way, or lease”.

16 On page 12, line 20, strike “easement or right-of-
17 way” and insert “easement, right-of-way, or lease”.

18 On page 13, line 1, strike “easements and rights-of-
19 way” and insert “easements, rights-of-way, and leases”.

1 On page 13, line 19, strike “easement or right-of-
2 way” and insert “easement, right-of-way, or lease”.

3 On page 14, lines 2 and 3, strike “easement or right-
4 of-way” and insert “easement, right-of-way, or lease”.

5 On page 14, line 10, strike “easement or right-of-
6 way” and insert “easement, right-of-way, or lease”.

7 On page 14, line 16, strike “easement or right-of-
8 way” and insert “easement, right-of-way, or lease”.

9 On page 19, line 2, strike “easement or right-of-way”
10 and insert “easement, right-of-way, or lease”.

11 On page 25, line 24, at the end add the following:
12 “After the database is fully operational and for the next
13 5 years thereafter, the Director shall provide annual re-
14 ports regarding the use of the database, recommendations
15 of how the database may provide additional utility to the
16 entities described in subsection (b)(2), if any recommenda-
17 tions are warranted, and how previous recommendations
18 have been implemented.”.

1 On page 26, line 6, insert “, and after notice and
2 an opportunity for public comment,” after “thereof”.

3 On page 28, line 21, strike “shall” and all that fol-
4 lows through line 24 and insert the following: “shall—

5 (1) consider the regulatory certainty that com-
6 mercial spectrum users and Federal entities need to
7 make longer-term investment decisions for shared
8 access to be viable; and

9 (2) evaluate any barriers to voluntary commer-
10 cial arrangements in which non-Federal users could
11 provide access to Federal entities.

12 On page 29, line 2, strike “a feasibility assessment
13 and”.

14 On page 29, line 5, insert “with respect to fre-
15 quencies allocated for Federal use,” after “thereof,”.

16 On page 29, strike lines 18 through 23 and insert
17 the following:

18 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
19 tion shall be construed as limiting the Commission or the
20 Secretary from otherwise making spectrum available for
21 licensed or unlicensed use in any frequency band in addi-

1 tion to guard bands, including under section 3, consistent
2 with their statutory jurisdictions.

3 On page 31, line 12, insert “notice and” after
4 “after”.