

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 4207**

To reauthorize the spectrum auction authority of the Federal Communications Commission, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Ms. CANTWELL

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Spectrum and National Security Act of 2024”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Sense of Congress.

Sec. 3. Definitions.

**TITLE I—DEVELOPMENT OF SPECTRUM MAXIMIZING  
TECHNOLOGIES**

Sec. 101. National Spectrum Research and Development Plan.

**TITLE II—EXERTING UNITED STATES SPECTRUM LEADERSHIP**

Sec. 201. Empowering Federal agencies in the management of their spectrum.

## 2

Sec. 202. Under Secretary of Commerce for Communications and Information.

TITLE III—CREATION OF A SPECTRUM PIPELINE

Sec. 301. Creation of a spectrum pipeline.

Sec. 302. Spectrum auctions.

TITLE IV—EXTENSION OF FCC AUCTION AUTHORITY

Sec. 401. Extension of FCC auction authority.

TITLE V—WORKFORCE DEVELOPMENT

Subtitle A—Improving Minority Participation

Sec. 501. Short title.

Sec. 502. Definitions.

Sec. 503. Program.

Subtitle B—National Spectrum Workforce Plan

Sec. 511. National spectrum workforce plan.

TITLE VI—SPECTRUM AUCTION TRUST FUND

Sec. 601. Definition.

Sec. 602. Spectrum Auction Trust Fund.

TITLE VII—SECURE AND TRUSTED COMMUNICATIONS NETWORKS  
REIMBURSEMENT PROGRAM

Sec. 701. Increase in limitation on expenditure.

TITLE VIII—NEXT GENERATION 9–1–1

Sec. 801. Further deployment and coordination of Next Generation 9–1–1.

TITLE IX—MINORITY SERVING INSTITUTIONS PROGRAM

Sec. 901. Definitions.

Sec. 902. Program.

**1 SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) electromagnetic spectrum is a scarce, valu-  
4 able resource that fuels the technological leadership  
5 of the United States globally, which supports the na-  
6 tional security and critical operations of the United  
7 States;

1           (2) because spectrum is a finite and limited re-  
2           source, the United States must invest in advanced  
3           spectrum technologies, such as dynamic spectrum  
4           sharing, to make the best use of spectrum to pro-  
5           mote private sector innovation, and protect and fur-  
6           ther the mission of Federal agencies;

7           (3) to retain the global technology leadership of  
8           the United States, the United States must have an  
9           accurate assessment of the current and future de-  
10          mand for spectrum, and the tools to meet that de-  
11          mand;

12          (4) ensuring a clear and fair process for Fed-  
13          eral agencies to assess how to meet the demand for  
14          spectrum and reauthorizing the spectrum auction  
15          authority of the Commission will provide the tools  
16          described in paragraph (3);

17          (5) as agreed to by both the Department of De-  
18          fense and the National Telecommunications and In-  
19          formation Administration in the National Spectrum  
20          Strategy, an assessment of future spectrum demand,  
21          the promotion of research and development on dy-  
22          namic spectrum sharing and other new and emerg-  
23          ing spectrum technologies, and support for a work-  
24          force to support an advanced spectrum ecosystem  
25          are critical for expanding the overall capacity,

1 usability, and efficiency of spectrum to enhance the  
2 competitiveness and national security of the United  
3 States; and

4 (6) a unified, forward-looking domestic spec-  
5 trum policy is vital for enabling the United States  
6 to advocate effectively for its interests on the global  
7 stage, including at the International Telecommuni-  
8 cation Union, against the competing spectrum poli-  
9 cies advanced by foreign adversaries.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) COMMISSION.—The term “Commission”  
13 means the Federal Communications Commission.

14 (2) DYNAMIC SPECTRUM SHARING.—The term  
15 “dynamic spectrum sharing” means a technique that  
16 enables multiple electromagnetic spectrum users to  
17 operate on the same frequencies in the same geo-  
18 graphic area without causing harmful interference to  
19 other users by using capabilities that can adjust and  
20 optimize electromagnetic spectrum usage in real  
21 time or near-real time, consistent with defined regu-  
22 lations and policies for a particular spectrum band.

23 (3) SPECTRUM ADVISORY COUNCIL.—The term  
24 “Spectrum Advisory Council” has the meaning given  
25 the term in section 106(a) of the National Tele-

1 communications and Information Administration Or-  
2 ganization Act, as added by section 201 of this Act.

3 (4) UNDER SECRETARY.—The term “Under  
4 Secretary” means the Under Secretary of Commerce  
5 for Communications and Information, as so des-  
6 ignated by the amendment made by section 202(a).

7 **TITLE I—DEVELOPMENT OF**  
8 **SPECTRUM MAXIMIZING**  
9 **TECHNOLOGIES**

10 **SEC. 101. NATIONAL SPECTRUM RESEARCH AND DEVELOP-**  
11 **MENT PLAN.**

12 (a) DEFINITION.—In this section, the term “Federal  
13 entity” has the meaning given the term in section 113(l)  
14 of the National Telecommunications and Information Ad-  
15 ministration Organization Act (47 U.S.C. 923(l)).

16 (b) DYNAMIC SPECTRUM SHARING.—

17 (1) NATIONAL TESTBED.—Not later than 18  
18 months after the date of enactment of this Act, the  
19 Under Secretary shall establish, or coordinate with  
20 other Federal entities to establish or identify, a na-  
21 tional testbed for dynamic spectrum sharing that—

22 (A) enables the identification of bands of  
23 Federal and non-Federal spectrum that can be  
24 accessed on a short-term basis for experimen-  
25 tation;

1           (B) considers specific areas for testing and  
2           measurement to improve future study efforts  
3           across spectrum bands, including researching  
4           and developing solutions that can be applied  
5           across a range of spectrum bands;

6           (C) is focused on developing technologically  
7           neutral approaches;

8           (D) enables Federal entities to work coop-  
9           eratively with non-Federal entities, including in-  
10          dustry entities, academic institutions, and re-  
11          search organizations, to objectively examine new  
12          technologies to improve spectrum management;  
13          and

14          (E) minimizes duplication of effort by syn-  
15          chronizing, to the extent practicable, with other  
16          relevant research and engineering activities un-  
17          derway across the Federal Government in areas  
18          including artificial intelligence, machine learn-  
19          ing, zero-trust networks, data-source manage-  
20          ment, autonomy and autonomous systems, and  
21          advanced radar technologies.

22          (2) FUNDING.—The Under Secretary may use  
23          the funding provided under section 602(c)(1)(E) of  
24          this Act to establish the national testbed for dy-  
25          namic spectrum sharing under paragraph (1).

1 (c) RESEARCH AND DEVELOPMENT PLAN.—The Of-  
2 fice of Science and Technology Policy, in coordination with  
3 each member agency of the Spectrum Advisory Council,  
4 shall develop a National Spectrum Research and Develop-  
5 ment Plan that—

6 (1) identifies the key innovation areas for spec-  
7 trum research and development, including dynamic  
8 spectrum sharing, artificial intelligence and machine  
9 learning techniques, and other emerging technologies  
10 for improving spectrum efficiency and innovation;

11 (2) establishes a process to refine and enhance  
12 the innovation areas identified under paragraph (1)  
13 on an ongoing basis;

14 (3) considers recommendations developed  
15 through the collaborative framework established  
16 under subsection (d)(1); and

17 (4) will encourage Federal entities to conduct  
18 spectrum-related testing and research in cooperation  
19 with the Institute for Telecommunication Sciences of  
20 the National Telecommunications and Information  
21 Administration.

22 (d) PUBLIC AND PRIVATE SECTOR COLLABORATIVE  
23 FRAMEWORK.—

24 (1) ESTABLISHMENT.—The Under Secretary,  
25 in coordination with the Commission, as appropriate,

1 shall establish a collaborative framework for coordi-  
2 nation, technical exchange, and information sharing  
3 between Federal entities and non-Federal entities for  
4 purposes of short-term and long-term spectrum  
5 planning and management.

6 (2) REQUIREMENTS.—The collaborative frame-  
7 work established under paragraph (1) shall con-  
8 sider—

9 (A) leveraging Federal and non-Federal  
10 advisory groups that advise the Federal Govern-  
11 ment on spectrum planning or management, as  
12 appropriate;

13 (B) identifying new advisory groups that  
14 could be established to aid long-term spectrum  
15 planning;

16 (C) defining the interactions among the  
17 groups described in subparagraphs (A) and (B),  
18 including their roles and responsibilities and de-  
19 sired outputs;

20 (D) adhering to applicable interagency  
21 memoranda of understanding on spectrum plan-  
22 ning or management;

23 (E) engaging with a variety of stake-  
24 holders, including unserved and historically un-



1           derserved populations, Tribal Nations, and the  
2           Native Hawaiian community; and

3                   (F) establishing a standardized submission  
4           process for Federal entities and non-Federal en-  
5           tities to provide information, on an ongoing  
6           basis, regarding their current and projected fu-  
7           ture spectrum needs.

8           (3) EVIDENCE-BASED SPECTRUM DECISION-  
9           MAKING.—The Under Secretary shall use the col-  
10          laborative framework established under paragraph  
11          (1) to develop best practices for conducting technical  
12          and economic analyses that are—

13                   (A) data-driven;

14                   (B) science-based;

15                   (C) peer-reviewed; and

16                   (D) publicly available in an easily acces-  
17          sible electronic format, to the extent prac-  
18          ticable, with appropriate redactions for classi-  
19          fied information, or other information reflecting  
20          technical, procedural, or policy concerns that  
21          are exempt from disclosure under section 552  
22          of title 5, United States Code (commonly known  
23          as the “Freedom of Information Act”).

24          (e) PROMOTION OF ADVANCED SPECTRUM-SHARING  
25          TECHNOLOGIES.—The Under Secretary shall help pro-

1 mote the development of advanced spectrum-sharing tech-  
2 nologies, including dynamic spectrum sharing, by identi-  
3 fying, in coordination with the Commission—

4 (1) incentives for non-Federal development and  
5 use of such technologies; and

6 (2) mechanisms to incentivize non-Federal  
7 users to adopt such technologies.

8 **TITLE II—EXERTING UNITED**  
9 **STATES SPECTRUM LEADERSHIP**

10 **SEC. 201. EMPOWERING FEDERAL AGENCIES IN THE MAN-**  
11 **AGEMENT OF THEIR SPECTRUM.**

12 Part A of the National Telecommunications and In-  
13 formation Administration Organization Act (47 U.S.C.  
14 901 et seq.) is amended by adding at the end the fol-  
15 lowing:

16 **“SEC. 106. IMPROVING SPECTRUM MANAGEMENT.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) CHAIR.—The term ‘Chair’ means the  
19 Chair of the Commission.

20 “(2) COMMISSION.—The term ‘Commission’  
21 means the Federal Communications Commission.

22 “(3) MEMORANDUM.—The term ‘Memorandum’  
23 means the Memorandum of Understanding between  
24 the Commission and the National Telecommuni-  
25 cations and Information Administration (relating to

1 increased coordination between Federal spectrum  
2 management agencies to promote the efficient use of  
3 the radio spectrum in the public interest), signed on  
4 August 1, 2022, or any successor memorandum.

5 “(4) SPECTRUM ACTION.—The term ‘spectrum  
6 action’ means any proposed action by the Commis-  
7 sion to reallocate radio frequency spectrum that—

8 “(A) is anticipated to result in—

9 “(i) a system of competitive bidding  
10 conducted under section 309(j) of the  
11 Communications Act of 1934 (47 U.S.C.  
12 309(j)); or

13 “(ii) some other form of licensing; and

14 “(B) could potentially impact the spectrum  
15 operations of a Federal entity.

16 “(5) SPECTRUM ADVISORY COUNCIL.—The  
17 term ‘Spectrum Advisory Council’ means the inter-  
18 agency advisory body established under the memo-  
19 randum of the President entitled ‘Memorandum on  
20 Modernizing United States Spectrum Policy and Es-  
21 tablishing a National Spectrum Strategy’, issued on  
22 November 13, 2023, or any successor interagency  
23 advisory body.

24 “(b) FEDERAL COORDINATION PROCEDURES.—

1           “(1) RESPONSIBILITIES OF NTIA.—The Under  
2           Secretary shall—

3                   “(A) ensure, in coordination with the Spec-  
4                   trum Advisory Council and, as appropriate, the  
5                   Interdepartment Radio Advisory Committee,  
6                   that the views of the executive branch on spec-  
7                   trum matters are properly—

8                           “(i) developed;

9                           “(ii) documented; and

10                           “(iii) presented, as necessary, to the  
11                   Commission and, as appropriate and in co-  
12                   ordination with the Director of the Office  
13                   of Management and Budget, to Congress,  
14                   as required by sections 102(b)(6) and  
15                   103(b)(2)(J);

16                   “(B) adhere to the terms of the Memo-  
17                   randum;

18                   “(C) solicit views of affected Federal enti-  
19                   ties and provide those Federal entities with suf-  
20                   ficient time and procedures to present their  
21                   views and supporting technical information to  
22                   the NTIA;

23                   “(D) provide affected Federal entities with  
24                   timely written feedback explaining why and how  
25                   their views will be taken into account in the po-

1           sition that the NTIA communicates to the  
2           Commission;

3           “(E) facilitate the presentation by affected  
4           Federal entities of classified or otherwise sen-  
5           sitive views to the Commission;

6           “(F) develop the position of the executive  
7           branch on issues related to spectrum, including  
8           any supporting technical and operational infor-  
9           mation to facilitate decision-making by the  
10          Commission;

11          “(G) provide the position described in sub-  
12          paragraph (F) to the Commission; and

13          “(H) provide the position described in sub-  
14          paragraph (F) within the applicable timelines  
15          established by the Commission or, as needed,  
16          request additional time from the Commission.

17          “(2) PROCESS FOR ADDRESSING NON-CON-  
18          SENSUS VIEWS.—If a Federal entity and the Under  
19          Secretary are unable to reach consensus on the  
20          views concerning Federal spectrum matters to be  
21          presented to the Commission, the Under Secretary  
22          shall—

23                 “(A) notify the Commission of the lack of  
24                 consensus and the anticipated next steps and  
25                 timing to resolve the dispute;

1           “(B) request the joint assistance of the  
2           Secretary and the head of the Federal entity  
3           objecting to the proposed submission to the  
4           Commission to find a mutually agreeable reso-  
5           lution; and

6           “(C) keep the Commission informed, as  
7           appropriate, regarding anticipated next steps  
8           and the timing of resolution.

9           “(3) SECONDARY PROCESS FOR ADDRESSING  
10          NON-CONSENSUS.—If a Federal entity and the  
11          Under Secretary are unable to reach a mutually  
12          agreeable resolution under the process under para-  
13          graph (2)—

14                 “(A) not later than 90 days after com-  
15                 pleting the process, the Under Secretary or the  
16                 Federal entity may submit the dispute to the  
17                 Assistant to the President for National Security  
18                 Affairs and the Assistant to the President for  
19                 Economic Policy;

20                 “(B) the Assistant to the President for  
21                 National Security Affairs and the Assistant to  
22                 the President for Economic Policy, in consulta-  
23                 tion with the Director of the Office of Science  
24                 and Technology Policy and, if appropriate, the  
25                 National Space Council, shall resolve the dis-

1           pute through the interagency process described  
2           in the national security memorandum of the  
3           President entitled ‘Memorandum on Renewing  
4           the National Security Council System’, issued  
5           on February 4, 2021; and

6                   “(C) the Under Secretary shall advise the  
7           Commission on the executive branch position  
8           following the adjudication and decision under  
9           the process described in this paragraph.

10                   “(4)   POST-COMMISSION   ACTION   PROCE-  
11           DURES.—If the Commission takes a spectrum action  
12           to make spectrum available for non-Federal use and  
13           an affected Federal entity has knowledge, unforeseen  
14           before the Commission took the spectrum action,  
15           that the non-Federal use is causing or potentially  
16           will cause harmful interference to existing Federal  
17           operations or non-Federal operations that are regu-  
18           lated by the Federal entity—

19                   “(A) not later than 45 days after the date  
20           on which the affected Federal entity learns of  
21           the unforeseen risk of harmful interference, the  
22           Federal entity may formally request that the  
23           Under Secretary address the issue with the  
24           Commission for an appropriate remedy, which  
25           request shall—

1           “(i) clearly indicate the manner in  
2           which the public interest will be implicated  
3           or harmed or in which the mission of the  
4           Federal entity will be adversely affected;

5           “(ii) present evidence to the Under  
6           Secretary that the non-Federal use is caus-  
7           ing or potentially will cause harmful inter-  
8           ference or potential harm to the public in-  
9           terest, including any technical or scientific  
10          data that supports that position; and

11          “(iii) explain why the Federal entity  
12          cannot take steps to ensure mission con-  
13          tinuity that are consistent with the spec-  
14          trum action of the Commission;

15          “(B) if the Under Secretary believes that  
16          the affected Federal entity has produced suffi-  
17          cient evidence under subparagraph (A) that the  
18          non-Federal use will risk harmful interference  
19          that cannot be reasonably mitigated without  
20          Commission action, the Under Secretary, not  
21          later than 60 days after receiving the request  
22          from the Federal entity, shall address the Com-  
23          mission under established processes under the  
24          Memorandum and, as applicable, the Practice  
25          and Procedure of the Commission under part 1



1 of title 47, Code of Federal Regulations, or any  
2 successor regulations, for seeking appropriate  
3 relief; and

4 “(C) if the Under Secretary concludes that  
5 there is not sufficient evidence to seek relief  
6 from the Commission, the affected Federal enti-  
7 ty may follow the processes established under  
8 paragraphs (2) and (3) of this subsection.

9 “(5) RULE OF CONSTRUCTION.—Nothing in  
10 this subsection may be construed to require the dis-  
11 closure of classified information, or other informa-  
12 tion reflecting technical, procedural, or policy con-  
13 cerns that are exempt from disclosure under section  
14 552 of title 5, United States Code (commonly known  
15 as the ‘Freedom of Information Act’).

16 “(c) FEDERAL SPECTRUM COORDINATION RESPON-  
17 SIBILITIES.—

18 “(1) IN GENERAL.—Not later than 90 days  
19 after the date of enactment of this section, the  
20 Under Secretary shall establish a charter for the  
21 Spectrum Advisory Council.

22 “(2) SPECTRUM ADVISORY COUNCIL REP-  
23 RESENTATIVE.—

24 “(A) IN GENERAL.—The head of each  
25 Federal entity that is reflected in the member-

1 ship of the Spectrum Advisory Council, as iden-  
2 tified in the charter established under para-  
3 graph (1), shall appoint a senior-level employee  
4 (or an individual occupying a Senior Executive  
5 Service position, as defined in section 3132(a)  
6 of title 5, United States Code) who is eligible  
7 to receive a security clearance that allows for  
8 access to sensitive compartmented information  
9 to serve as the representative of the Federal en-  
10 tity to the Spectrum Advisory Council.

11 “(B) SECURITY CLEARANCE REQUIRE-  
12 MENT.—If an individual appointed under sub-  
13 paragraph (A) is not eligible to receive a secu-  
14 rity clearance described in that subparagraph—

15 “(i) the appointment shall be invalid;  
16 and

17 “(ii) the head of the Federal entity  
18 making the appointment shall appoint an-  
19 other individual who satisfies the require-  
20 ments of that subparagraph, including the  
21 requirement that the individual is eligible  
22 to receive such a security clearance.

23 “(3) DUTIES.—An individual appointed under  
24 paragraph (2) shall—

1           “(A) oversee the spectrum coordination  
2 policies and procedures of the applicable Fed-  
3 eral entity;

4           “(B) be responsible for timely notification  
5 of technical or procedural concerns of the appli-  
6 cable Federal entity to the Spectrum Advisory  
7 Council;

8           “(C) work closely with the representative  
9 of the applicable Federal entity to the Inter-  
10 department Radio Advisory Committee;

11           “(D) respond to a request from the NTIA  
12 for, and to the extent feasible, share with the  
13 NTIA, any technical and operational informa-  
14 tion needed to facilitate spectrum coordination  
15 not later than—

16           “(i) the applicable reasonable deadline  
17 established by the NTIA, at the discretion  
18 of the NTIA, pursuant to section IV(3) of  
19 the Memorandum, or any successor provi-  
20 sion; or

21           “(ii) 45 days after the date of the re-  
22 quest, in the case of a request to which  
23 clause (i) does not apply;

1           “(E) furnish the NTIA with all relevant  
2 information to be considered for filing with the  
3 Commission;

4           “(F) coordinate with the NTIA on a sig-  
5 nificant regulatory action to be taken by the ap-  
6 plicable Federal entity pursuant to its regu-  
7 latory authority directly relating to spectrum  
8 before the Federal entity submits the regulatory  
9 action to the Office of Information and Regu-  
10 latory Affairs in accordance with Executive  
11 Order 12866 (5 U.S.C. 601 note; relating to  
12 regulatory planning and review); and

13           “(G) collaborate with the NTIA on spec-  
14 trum planning.

15       “(d) COORDINATION BETWEEN FEDERAL AGENCIES  
16 AND THE NTIA.—

17           “(1) UPDATES.—Not later than 3 years after  
18 the date of enactment of this section, and every 4  
19 years thereafter (or more frequently, as appro-  
20 priate), the Commission and the NTIA shall reassess  
21 the Memorandum and, based on such a reassess-  
22 ment, update the Memorandum, as necessary.

23           “(2) NATURE OF UPDATE.—Any update to the  
24 Memorandum under paragraph (1) shall reflect  
25 changing technological, procedural, and policy cir-

1       cumstances, as determined necessary and appro-  
2       priate by the Commission and the NTIA.

3       “(e) ANNUAL REPORT TO CONGRESS.—Not later  
4 than 1 year after the date of enactment of this section,  
5 and annually thereafter, the Chair and the Under Sec-  
6 retary shall submit to Congress a report on joint spectrum  
7 planning activities conducted by the Chair and the Under  
8 Secretary under this section.

9       “(f) TESTING.—A Federal entity shall coordinate  
10 with the NTIA before carrying out any electromagnetic  
11 compatibility study or testing plan that the Federal entity  
12 seeks to be considered in formulating the views of the ex-  
13 ecutive branch regarding spectrum regulatory matters.

14       “(g) REPORT ON SPECTRUM MANAGEMENT PRIN-  
15 CIPLES AND METHODS.—Not later than May 14, 2025,  
16 the Under Secretary, in coordination with the Spectrum  
17 Advisory Council, shall publish a report that identifies—

18               “(1) spectrum management principles and  
19               methods to guide the Federal Government in spec-  
20               trum studies and science;

21               “(2) coordination guidelines for spectrum stud-  
22               ies; and

23               “(3) processes for determining types of studies,  
24               criteria, assumptions, and timelines that shall be ac-  
25               ceptable in decision-making involving the use of Fed-

1 eral spectrum and the use of non-Federal spectrum  
2 by Federal entities.”.

3 **SEC. 202. UNDER SECRETARY OF COMMERCE FOR COMMU-**  
4 **NICATIONS AND INFORMATION.**

5 (a) IN GENERAL.—Section 103(a)(2) of the National  
6 Telecommunications and Information Administration Or-  
7 ganization Act (47 U.S.C. 902(a)(2)) is amended by strik-  
8 ing “Assistant Secretary of Commerce for Communica-  
9 tions and Information” and inserting “Under Secretary  
10 of Commerce for Communications and Information”.

11 (b) PAY.—Subchapter II of chapter 53 of title 5,  
12 United States Code, is amended—

13 (1) in section 5314, by striking “and Under  
14 Secretary of Commerce for Minority Business Devel-  
15 opment” and inserting “Under Secretary of Com-  
16 merce for Minority Business Development, and  
17 Under Secretary of Commerce for Communications  
18 and Information”; and

19 (2) in section 5315, by striking “(11)” after  
20 “Assistant Secretaries of Commerce” and inserting  
21 “(10)”.

22 (c) DEPUTY UNDER SECRETARY.—

23 (1) IN GENERAL.—Section 103(a) of the Na-  
24 tional Telecommunications and Information Admin-  
25 istration Organization Act (47 U.S.C. 902(a)), as

1       amended by subsection (a) of this section, is amend-  
2       ed by adding at the end the following:

3               “(3) DEPUTY UNDER SECRETARY.—The Dep-  
4       uty Under Secretary of Commerce for Communica-  
5       tions and Information shall—

6               “(A) be the principal policy advisor of the  
7       Under Secretary;

8               “(B) perform such other functions as the  
9       Under Secretary shall from time to time assign  
10       or delegate; and

11              “(C) act as Under Secretary during the  
12       absence or disability of the Under Secretary or  
13       in the event of a vacancy in the office of the  
14       Under Secretary.”.

15              (2) TECHNICAL AND CONFORMING AMEND-  
16       MENT.—Section 106(c) of the Public Telecommuni-  
17       cations Financing Act of 1978 (5 U.S.C. 5316 note;  
18       Public Law 95–567) is amended by striking “The  
19       position of Deputy Assistant Secretary of Commerce  
20       for Communications and Information, established in  
21       Department of Commerce Organization Order Num-  
22       bered 10–10 (effective March 26, 1978),” and in-  
23       serting “The position of Deputy Under Secretary of  
24       Commerce for Communications and Information, es-  
25       tablished under section 103(a) of the National Tele-

1       communications and Information Administration Or-  
2       ganization Act (47 U.S.C. 902(a)),”.

3       (d) TECHNICAL AND CONFORMING AMENDMENTS.—

4           (1) COMMUNICATIONS ACT OF 1934.—Section  
5       344(d)(2) of the Communications Act of 1934 (as  
6       added by section 60602(a) of the Infrastructure In-  
7       vestment and Jobs Act (Public Law 117–58)) is  
8       amended by striking “Assistant Secretary” and in-  
9       serting “Under Secretary”.

10          (2) NATIONAL TELECOMMUNICATIONS AND IN-  
11       FORMATION ADMINISTRATION ORGANIZATION ACT.—

12       The National Telecommunications and Information  
13       Administration Organization Act (47 U.S.C. 901 et  
14       seq.) is amended by striking “Assistant Secretary”  
15       each place the term appears and inserting “Under  
16       Secretary”.

17          (3) HOMELAND SECURITY ACT OF 2002.—Sec-  
18       tion 1805(d)(2) of the Homeland Security Act of  
19       2002 (6 U.S.C. 575(d)(2)) is amended by striking  
20       “Assistant Secretary for Communications and Infor-  
21       mation of the Department of Commerce” and insert-  
22       ing “Under Secretary of Commerce for Communica-  
23       tions and Information”.



1           (4) AGRICULTURE IMPROVEMENT ACT OF  
2           2018.—Section 6212 of the Agriculture Improvement  
3           Act of 2018 (7 U.S.C. 950bb–6) is amended—

4                   (A) in subsection (d)(1), in the heading, by  
5                   striking “ASSISTANT SECRETARY” and inserting  
6                   “UNDER SECRETARY”; and

7                   (B) by striking “Assistant Secretary” each  
8                   place the term appears and inserting “Under  
9                   Secretary”.

10          (5) REAL ID ACT OF 2005.—Section 303 of the  
11          REAL ID Act of 2005 (8 U.S.C. 1721 note; Public  
12          Law 109–13) is repealed.

13          (6) BROADBAND DATA IMPROVEMENT ACT.—  
14          Section 214 of the Broadband Data Improvement  
15          Act (15 U.S.C. 6554) is amended—

16                   (A) in subsection (a), in the matter pre-  
17                   ceding paragraph (1), by striking “Assistant  
18                   Secretary” and inserting “Under Secretary”;

19                   (B) by striking subsection (b); and

20                   (C) by redesignating subsection (e) as sub-  
21                   section (b).

22          (7) ELECTRONIC SIGNATURES IN GLOBAL AND  
23          NATIONAL COMMERCE ACT.—Section 103(c) of the  
24          Electronic Signatures in Global and National Com-  
25          merce Act (15 U.S.C. 7003(c)) is amended—

1 (A) by striking “Exceptions” and all that  
2 follows through “DETERMINATIONS.—If” and  
3 inserting “EXCEPTIONS.—If”; and

4 (B) by striking “such exceptions” and in-  
5 serting “of the exceptions in subsections (a)  
6 and (b)”.

7 (8) TITLE 17, UNITED STATES CODE.—Section  
8 1201 of title 17, United States Code, is amended—

9 (A) in subsection (a)(1)(C), in the matter  
10 preceding clause (i), by striking “Assistant Sec-  
11 retary for Communications and Information of  
12 the Department of Commerce” and inserting  
13 “Under Secretary of Commerce for Commu-  
14 nications and Information”; and

15 (B) in subsection (g), by striking para-  
16 graph (5).

17 (9) UNLOCKING CONSUMER CHOICE AND WIRE-  
18 LESS COMPETITION ACT.—Section 2(b) of the  
19 Unlocking Consumer Choice and Wireless Competi-  
20 tion Act (17 U.S.C. 1201 note; Public Law 113–  
21 144) is amended by striking “Assistant Secretary  
22 for Communications and Information of the Depart-  
23 ment of Commerce” and inserting “Under Secretary  
24 of Commerce for Communications and Information”.

1           (10) IMPLEMENTING RECOMMENDATIONS OF  
2 THE 9/11 COMMISSION ACT OF 2007.—Section  
3 2201(d) of the Implementing Recommendations of  
4 the 9/11 Commission Act of 2007 (42 U.S.C. 247d–  
5 3a note; Public Law 110–53) is repealed.

6           (11) COMMUNICATIONS SATELLITE ACT OF  
7 1962.—Section 625(a)(1) of the Communications  
8 Satellite Act of 1962 (47 U.S.C. 763d(a)(1)) is  
9 amended, in the matter preceding subparagraph (A),  
10 by striking “Assistant Secretary” and inserting  
11 “Under Secretary of Commerce”.

12           (12) SPECTRUM PIPELINE ACT OF 2015.—The  
13 Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note;  
14 title X of Public Law 114–74) is amended—

15           (A) in section 1002(1), in the heading, by  
16 striking “ASSISTANT SECRETARY” and inserting  
17 “UNDER SECRETARY”; and

18           (B) by striking “Assistant Secretary” each  
19 place the term appears and inserting “Under  
20 Secretary”.

21           (13) WARNING, ALERT, AND RESPONSE NET-  
22 WORK ACT.—Section 606 of the Warning, Alert, and  
23 Response Network Act (47 U.S.C. 1205) is amend-  
24 ed—

1 (A) in subsection (b), in the first sentence,  
2 by striking “Assistant Secretary of Commerce  
3 for Communications and Information” and in-  
4 serting “Under Secretary of Commerce for  
5 Communications and Information”; and

6 (B) by striking “Assistant Secretary” each  
7 place the term appears and inserting “Under  
8 Secretary”.

9 (14) AMERICAN RECOVERY AND REINVESTMENT  
10 ACT OF 2009.—Section 6001 of the American Recov-  
11 ery and Reinvestment Act of 2009 (47 U.S.C. 1305)  
12 is amended by striking “Assistant Secretary” each  
13 place the term appears and inserting “Under Sec-  
14 retary”.

15 (15) MIDDLE CLASS TAX RELIEF AND JOB CRE-  
16 ATION ACT OF 2012.—Title VI of the Middle Class  
17 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
18 1401 et seq.) is amended—

19 (A) in section 6001 (47 U.S.C. 1401)—

20 (i) by striking paragraph (4);

21 (ii) by redesignating paragraphs (5)  
22 through (31) as paragraphs (4) through  
23 (30), respectively; and

24 (iii) by inserting after paragraph (30),  
25 as so redesignated, the following:

1           “(31) UNDER SECRETARY.—The term ‘Under  
2           Secretary’ means the Under Secretary of Commerce  
3           for Communications and Information.”;

4                   (B) in subtitle D (47 U.S.C. 1451 et  
5           seq.)—

6                           (i) in section 6406 (47 U.S.C.  
7           1453)—

8                                   (I) by striking subsections (b)  
9                                   and (c); and

10                                   (II) by inserting after subsection  
11                                   (a) the following:

12           “(b) DEFINITION.—In this section, the term ‘5350  
13           -5470 MHz band’ means the portion of the electro-  
14           magnetic spectrum between the frequencies from 5350  
15           megahertz to 5470 megahertz.”; and

16                           (ii) by striking section 6408; and

17                           (C) by striking “Assistant Secretary” each  
18           place the term appears and inserting “Under  
19           Secretary”.

20           (16) RAY BAUM’S ACT OF 2018.—The RAY  
21           BAUM’S Act of 2018 (division P of Public Law  
22           115–141; 132 Stat. 348) is amended by striking  
23           “Assistant Secretary” each place the term appears  
24           and inserting “Under Secretary”.

1           (17) SECURE AND TRUSTED COMMUNICATIONS  
2 NETWORKS ACT OF 2019.—Section 8 of the Secure  
3 and Trusted Communications Networks Act of 2019  
4 (47 U.S.C. 1607) is amended—

5           (A) in subsection (c)(1), in the heading, by  
6 striking “ASSISTANT SECRETARY” and inserting  
7 “UNDER SECRETARY”; and

8           (B) by striking “Assistant Secretary” each  
9 place the term appears and inserting “Under  
10 Secretary”.

11          (18) TITLE 51, UNITED STATES CODE.—Section  
12 50112(3) of title 51, United States Code, is amend-  
13 ed, in the matter preceding subparagraph (A), by  
14 striking “Assistant Secretary” each place the term  
15 appears and inserting “Under Secretary”.

16          (19) CONSOLIDATED APPROPRIATIONS ACT,  
17 2021.—The Consolidated Appropriations Act, 2021  
18 (Public Law 116–260; 134 Stat. 1182) is amend-  
19 ed—

20           (A) in title IX of division N—

21           (i) in section 902(a)(2) (47 U.S.C.  
22 1306(a)(2)), in the heading, by striking  
23 “ASSISTANT SECRETARY” and inserting  
24 “UNDER SECRETARY”;

25           (ii) in section 905 (47 U.S.C. 1705)—

1 (I) in subsection (a)(1), in the  
2 heading, by striking “ASSISTANT SEC-  
3 RETARY” and inserting “UNDER SEC-  
4 RETARY”;

5 (II) in subsection (c)(3)(B), in  
6 the heading, by striking “ASSISTANT  
7 SECRETARY” and inserting “UNDER  
8 SECRETARY”; and

9 (III) in subsection (d)(2)(B), in  
10 the heading, by striking “ASSISTANT  
11 SECRETARY” and inserting “UNDER  
12 SECRETARY”; and

13 (iii) by striking “Assistant Secretary”  
14 each place the term appears and inserting  
15 “Under Secretary”; and

16 (B) in title IX of division FF—

17 (i) in section 903(g)(2), in the head-  
18 ing, by striking “ASSISTANT SECRETARY”  
19 and inserting “UNDER SECRETARY”; and

20 (ii) by striking “Assistant Secretary”  
21 each place the term appears and inserting  
22 “Under Secretary”.

23 (20) INFRASTRUCTURE INVESTMENT AND JOBS  
24 ACT.—The Infrastructure Investment and Jobs Act  
25 (Public Law 117–58; 135 Stat. 429) is amended—

1 (A) in section 27003, by striking “Assist-  
2 ant Secretary” each place the term appears and  
3 inserting “Under Secretary”;

4 (B) in division F—

5 (i) in section 60102 (47 U.S.C.  
6 1702)—

7 (I) in subsection (a)(2)(A), by  
8 striking “ASSISTANT SECRETARY” and  
9 inserting “UNDER SECRETARY”;

10 (II) in subsection (d)(1), by  
11 striking “ASSISTANT SECRETARY” and  
12 inserting “UNDER SECRETARY”; and

13 (III) in subsection (h)—

14 (aa) in paragraph (1)(B), by  
15 striking “ASSISTANT SEC-  
16 RETARY” and inserting “UNDER  
17 SECRETARY”; and

18 (bb) in paragraph  
19 (5)(B)(iii), by striking “ASSIST-  
20 ANT SECRETARY” and inserting  
21 “UNDER SECRETARY”;

22 (ii) in title III—

23 (I) in section 60302(5) (47  
24 U.S.C. 1721(5)), by striking “ASSIST-



1                   ANT SECRETARY” and inserting  
2                   “UNDER SECRETARY”; and

3                   (II) in section 60305(d)(2)(B)(ii)  
4                   (47 U.S.C. 1724(d)(2)(B)(ii)), by  
5                   striking “ASSISTANT SECRETARY” and  
6                   inserting “UNDER SECRETARY”;

7                   (iii) in section 60401(a)(2) (47 U.S.C.  
8                   1741(a)(2)), by striking “ASSISTANT SEC-  
9                   RETARY” and inserting “UNDER SEC-  
10                  RETARY”; and

11                  (iv) by striking “Assistant Secretary”  
12                  each place the term appears and inserting  
13                  “Under Secretary”;

14                  (C) in section 90008(b)(3) (47 U.S.C. 921  
15                  note), by striking “Assistant Secretary” and in-  
16                  serting “Under Secretary”; and

17                  (D) in division J, in title I, in the matter  
18                  under the heading “DISTANCE LEARNING,  
19                  TELEMEDICINE, AND BROADBAND PROGRAM”  
20                  under the heading “RURAL UTILITIES SERV-  
21                  ICE” under the heading “RURAL DEVELOP-  
22                  MENT PROGRAMS”, by striking “Assistant  
23                  Secretary” and inserting “Under Secretary”.

24                  (e) CONTINUATION IN OFFICE.—The individual serv-  
25                  ing as the Assistant Secretary of Commerce for Commu-

1 nications and Information and the individual serving as  
2 the Deputy Assistant Secretary of Commerce for Commu-  
3 nications and Information on the day before the date of  
4 enactment of this Act may serve as the Under Secretary  
5 of Commerce for Communications and Information and  
6 the Deputy Under Secretary of Commerce for Commu-  
7 nications and Information, respectively, on and after that  
8 date without the need for renomination or reappointment.

9 (f) REFERENCES.—Any reference in any other Fed-  
10 eral law, Executive order, rule, regulation, or delegation  
11 of authority, or any document of or pertaining to the As-  
12 sistant Secretary of Commerce for Communications and  
13 Information is deemed to refer to the Under Secretary of  
14 Commerce for Communications and Information.

15 (g) SAVINGS PROVISIONS.—

16 (1) LEGAL DOCUMENTS.—All orders, deter-  
17 minations, rules, regulations, permits, grants, loans,  
18 contracts, agreements, certificates, licenses, and  
19 privileges—

20 (A) that have been issued, made, granted,  
21 or allowed to become effective by the Assistant  
22 Secretary of Commerce for Communications  
23 and Information, any officer or employee of the  
24 National Telecommunications and Information  
25 Administration, or any other Government offi-

1           cial, or by a court of competent jurisdiction;  
2           and

3                   (B) that are in effect on the date of enact-  
4           ment of this Act (or become effective after that  
5           date pursuant to their terms as in effect on  
6           that date),

7           shall continue in effect according to their terms until  
8           modified, terminated, superseded, set aside, or re-  
9           voked in accordance with law by the President, any  
10          other authorized official, a court of competent juris-  
11          diction, or operation of law.

12                   (2) NONABATEMENT OF ACTIONS.—No suit, ac-  
13          tion, or other proceeding commenced by or against  
14          the Assistant Secretary of Commerce for Commu-  
15          nications and Information shall abate by reason of  
16          the enactment of this title and the amendments  
17          made by this title.

18                   (3) PROCEEDINGS.—This title, and the amend-  
19          ments made by this title, shall not affect any pro-  
20          ceedings or any application for any benefits, service,  
21          license, permit, certificate, or financial assistance  
22          pending on the date of enactment of this Act before  
23          the National Telecommunications and Information  
24          Administration, but those proceedings and applica-  
25          tions shall be continued. Orders shall be issued in

1 such proceedings, appeals shall be taken therefrom,  
2 and payments shall be made pursuant to such or-  
3 ders, as if this title had not been enacted, and orders  
4 issued in any such proceeding shall continue in ef-  
5 fect until modified, terminated, superseded, or re-  
6 voked by a duly authorized official, by a court of  
7 competent jurisdiction, or by operation of law. Noth-  
8 ing in this paragraph shall be considered to prohibit  
9 the discontinuance or modification of any such pro-  
10 ceeding under the same terms and conditions and to  
11 the same extent that the proceeding could have been  
12 discontinued or modified if this title had not been  
13 enacted.

14 (4) SUITS.—This title, and the amendments  
15 made by this title, shall not affect suits commenced  
16 before the date of enactment of this Act, and in all  
17 such suits, proceeding shall be had, appeals taken,  
18 and judgments rendered in the same manner and  
19 with the same effect as if this title, and the amend-  
20 ments made by this title, had not been enacted.

21 **TITLE III—CREATION OF A**  
22 **SPECTRUM PIPELINE**

23 **SEC. 301. CREATION OF A SPECTRUM PIPELINE.**

24 (a) DEFINITIONS.—In this section:

1           (1) AFFECTED FEDERAL ENTITY.—The term  
2           “affected Federal entity” means a Federal entity—

3                   (A) with operations in the band of fre-  
4                   quencies described in subsection (b)(1)(A) or  
5                   with future planned operations in the band of  
6                   frequencies described in subsection (b)(1)(B);  
7                   and

8                   (B) that the Under Secretary determines  
9                   might be affected by a reallocation, or another  
10                  action to expand spectrum access, in a band de-  
11                  scribed in subparagraph (A).

12          (2) CO-LEAD.—The term “co-lead” means an  
13          official who—

14                  (A) is the head of a Federal entity—

15                          (i) with operations in the band of fre-  
16                          quencies described in subsection (b)(1)(A)  
17                          or with future planned operations in the  
18                          band of frequencies described in subsection  
19                          (b)(1)(B); and

20                          (ii) that the Under Secretary deter-  
21                          mines might be affected by a reallocation,  
22                          or another action to expand spectrum ac-  
23                          cess, in a band of frequencies described in  
24                          subsection (b)(1); and

1 (B) elects to serve as a co-lead of the feasi-  
2 bility assessment required under subsection (b).

3 (3) FEDERAL ENTITY.—The term “Federal en-  
4 tity” has the meaning given the term in section  
5 113(l) of the National Telecommunications and In-  
6 formation Administration Organization Act (47  
7 U.S.C. 923(l)).

8 (b) FEASIBILITY ASSESSMENT.—

9 (1) COMPLETION OF ASSESSMENT.—The Sec-  
10 retary of Commerce, acting through the Under Sec-  
11 retary, with the assistance of the co-leads, shall com-  
12 plete a feasibility assessment of making spectrum  
13 available for—

14 (A) non-Federal use, shared Federal and  
15 non-Federal use, or a combination thereof, in  
16 the bands of frequencies between 7125 and  
17 8400 megahertz, inclusive; and

18 (B) shared Federal and non-Federal use in  
19 the bands of frequencies between 37000 and  
20 37600 megahertz, inclusive.

21 (2) OTHER REQUIREMENTS.—In conducting the  
22 feasibility assessment required under paragraph (1),  
23 the Under Secretary, with the assistance of the co-  
24 leads, shall—

1           (A) coordinate directly with each affected  
2 Federal entity with respect to frequencies allo-  
3 cated to, and used by, that affected Federal en-  
4 tity in the bands described in that paragraph  
5 and in affected adjacent or near adjacent  
6 bands;

7           (B) ensure that each affected Federal enti-  
8 ty leads that portion of the feasibility assess-  
9 ment that is relevant to individual mission re-  
10 quirements of the affected Federal entity for  
11 the systems supported by the incumbent spec-  
12 trum assignments in an applicable band of fre-  
13 quencies;

14           (C) consider dynamic spectrum sharing  
15 and, for the bands of frequencies described in  
16 paragraph (1)(A), relocation of systems, com-  
17 pression or re-packing of systems, consolidation  
18 of systems, and any other re-purposing options  
19 the Under Secretary, with the assistance of the  
20 co-leads, determines will enable the most effi-  
21 cient and effective use of frequencies considered  
22 under that paragraph; and

23           (D) comply with the requirements of sec-  
24 tion 113(j) of the National Telecommunications

1 and Information Administration Organization  
2 Act (47 U.S.C. 923(j)).

3 (3) ASSISTANCE FROM AFFECTED FEDERAL EN-  
4 TITIES.—Each affected Federal entity shall provide  
5 any assistance that the Under Secretary and the co-  
6 leads determine necessary in order to carry out the  
7 assessment required under this subsection.

8 (4) DEADLINE FOR COMPLETION OF ASSESS-  
9 MENT.—The Under Secretary and the co-leads shall  
10 complete the assessment required under this sub-  
11 section—

12 (A) if affected Federal entities submit re-  
13 quests for funding under subsection (c)(1), not  
14 later than 2 years after the date on which all  
15 such requests for funding have been approved  
16 or denied; and

17 (B) if no affected Federal entity submits a  
18 request for funding under subsection (c)(1), not  
19 later than 850 days after the date of enactment  
20 of this Act.

21 (c) FUNDING OF ACTIVITIES TO ASSIST IN CON-  
22 DUCTING FEASIBILITY ASSESSMENT.—

23 (1) IN GENERAL.—If an affected Federal entity  
24 determines that the affected Federal entity requires  
25 funding to conduct activities described in section



1 118(g) of the National Telecommunications and In-  
2 formation Administration Organization Act (47  
3 U.S.C. 928(g)) that are necessary to assist the  
4 Under Secretary and the co-leads in carrying out the  
5 assessment required under subsection (b), the af-  
6 fected Federal entity shall, not later than 120 days  
7 after the date of enactment of this Act, submit a re-  
8 quest for payment pursuant to such section 118(g).

9 (2) EXEMPTION.—Section 118(g)(2)(D)(ii) of  
10 the National Telecommunications and Information  
11 Administration Organization Act (47 U.S.C.  
12 928(g)(2)(D)(ii)) shall not apply with respect to a  
13 payment requested under paragraph (1).

14 (d) REPORT TO THE COMMISSION AND CONGRESS.—

15 (1) IN GENERAL.—Not later than 30 days after  
16 the date on which the Under Secretary and the co-  
17 leads complete the feasibility assessment required  
18 under subsection (b), and subject to the other re-  
19 quirements of this subsection, the Under Secretary  
20 shall submit to the Commission and Congress a re-  
21 port regarding that assessment.

22 (2) CONTENTS.—The report submitted under  
23 paragraph (1) shall include—

24 (A) which Federal entities are affected  
25 Federal entities and the contributions of those

1 affected Federal entities to the feasibility as-  
2 sessment required under subsection (b);

3 (B) the necessary steps to make the bands  
4 of frequencies considered under subsection  
5 (b)(1)(A) available for non-Federal use, shared  
6 Federal and non-Federal use, or a combination  
7 thereof, including—

8 (i) the technical requirements nec-  
9 essary to make those bands of frequencies  
10 available for—

11 (I) exclusive non-Federal use;

12 and

13 (II) shared Federal and non-Fed-  
14 eral use; and

15 (ii) an estimate of the cost to affected  
16 Federal entities to make the bands of fre-  
17 quencies considered under subsection  
18 (b)(1)(A) available for—

19 (I) exclusive non-Federal use;

20 and

21 (II) shared Federal and non-Fed-  
22 eral use;

23 (C) the necessary steps to make the bands  
24 of frequencies considered under subsection  
25 (b)(1)(B) available for shared Federal and non-

1 Federal use, including the technical require-  
2 ments necessary to make those bands so avail-  
3 able and an estimate of the cost to affected  
4 Federal entities to make those bands so avail-  
5 able;

6 (D) an assessment of the likelihood that  
7 authorizing mobile or fixed terrestrial oper-  
8 ations in any of the frequencies considered  
9 under subsection (b)(1)(B) would result in  
10 harmful interference to an affected Federal en-  
11 tity; and

12 (E) an assessment of the potential impact  
13 that authorizing mobile or fixed terrestrial wire-  
14 less operations, including advanced mobile serv-  
15 ices operations, in any of the frequencies con-  
16 sidered under subsection (b) could have on the  
17 mission of an affected Federal entity.

18 (3) PUBLIC AVAILABILITY.—The Under Sec-  
19 retary shall ensure that all information in the report  
20 submitted under this subsection that is permitted to  
21 be released to the public is made available on the  
22 public website of the National Telecommunications  
23 and Information Administration.

1           (4) CLASSIFIED INFORMATION.—If there is  
2           classified material in the report submitted under this  
3           subsection, the Under Secretary shall—

4                   (A) provide the Committee on Commerce,  
5                   Science, and Transportation of the Senate, the  
6                   Committee on Energy and Commerce of the  
7                   House of Representatives, and each other com-  
8                   mittee of Congress with jurisdiction over af-  
9                   fected Federal entities with operations in the  
10                  applicable bands of frequencies with a briefing  
11                  on the classified components of that report; and

12                   (B) transmit at least 1 copy of both the  
13                   classified report and the classified annexes to  
14                   the sensitive compartmented information facili-  
15                   ties of the Senate and House of Representa-  
16                   tives.

17           (5) PREPARATION OF REPORT.—Before final-  
18           izing the report required under this subsection with  
19           respect to the feasibility assessment required under  
20           subsection (b), the Under Secretary shall—

21                   (A) submit the report for review by the  
22                   Spectrum Advisory Council; and

23                   (B) resolve any disputes regarding the fea-  
24                   sibility assessment through the interagency  
25                   process described in the national security

1 memorandum of the President entitled “Memo-  
2 randum on Renewing the National Security  
3 Council System”, issued on February 4, 2021.

4 (6) RULE OF CONSTRUCTION.—Nothing in this  
5 subsection may be construed to require the disclo-  
6 sure of classified information, law enforcement sen-  
7 sitive information, or other information reflecting  
8 technical, procedural, or policy concerns subject to  
9 protection under section 552 of title 5, United  
10 States Code.

11 (e) REPORTS ON FUTURE FEASIBILITY ASSESS-  
12 MENTS.—

13 (1) IN GENERAL.—Not later than 30 days after  
14 the date on which the Under Secretary completes  
15 any feasibility assessment with respect to bands of  
16 electromagnetic spectrum (other than the assessment  
17 required under subsection (b)), the Under Secretary  
18 shall submit to the Commission and Congress a re-  
19 port regarding that assessment.

20 (2) CONTENTS.—Each report required under  
21 paragraph (1) shall include, with respect to the ap-  
22 plicable feasibility assessment described in that para-  
23 graph—

24 (A) the Federal entities identified by the  
25 Assistant Secretary with equities in the bands

1 with respect to frequencies allocated to, and  
2 used by, those Federal entities and the con-  
3 tributions of those Federal entities to that fea-  
4 sibility assessment;

5 (B) the necessary steps to make the bands  
6 of frequencies considered under that feasibility  
7 assessment available for non-Federal use,  
8 shared Federal and non-Federal use, or a com-  
9 bination thereof, including—

10 (i) the technical requirements nec-  
11 essary to make bands in the frequencies  
12 considered under that feasibility assess-  
13 ment available for—

14 (I) exclusive non-Federal use;

15 and

16 (II) shared Federal and non-Fed-  
17 eral use; and

18 (ii) an estimate of the cost to Federal  
19 entities affected by making bands in the  
20 frequencies considered under that feasi-  
21 bility assessment available for—

22 (I) exclusive non-Federal use;

23 and

24 (II) shared Federal and non-Fed-  
25 eral use;

1 (C) an assessment of the likelihood that  
2 authorizing mobile or fixed terrestrial oper-  
3 ations in any of the frequencies considered  
4 under that feasibility assessment would result  
5 in harmful interference to a Federal entity; and

6 (D) an assessment of the potential impact  
7 that authorizing mobile or fixed terrestrial wire-  
8 less operations, including advanced mobile serv-  
9 ices operations, in any of the frequencies con-  
10 sidered under that feasibility assessment could  
11 have on the mission of a Federal entity.

12 (3) PUBLIC AVAILABILITY.—The Under Sec-  
13 retary shall ensure that all information in a report  
14 submitted under this subsection that may be re-  
15 leased to the public is made available on the public  
16 website of the National Telecommunications and In-  
17 formation Administration.

18 (4) CLASSIFIED INFORMATION.—If there is  
19 classified material in a report submitted under this  
20 subsection, the Under Secretary shall—

21 (A) provide the Committee on Commerce,  
22 Science, and Transportation of the Senate, the  
23 Committee on Energy and Commerce of the  
24 House of Representatives, and each other com-  
25 mittee of Congress with jurisdiction over Fed-

1           eral entities with equities in the applicable  
2           bands of frequencies with a briefing on the clas-  
3           sified components of that report; and

4                   (B) transmit at least 1 copy of both the  
5           classified report and the classified annexes to  
6           the sensitive compartmented information facili-  
7           ties of the Senate and House of Representa-  
8           tives.

9           (5) **RULE OF CONSTRUCTION.**—Nothing in this  
10          subsection may be construed to require the disclo-  
11          sure of classified information, law enforcement sen-  
12          sitive information, or other information reflecting  
13          technical, procedural, or policy concerns subject to  
14          protection under section 552 of title 5, United  
15          States Code.

16 **SEC. 302. SPECTRUM AUCTIONS.**

17          Not later than December 30, 2027, the Commission  
18          shall complete a system of competitive bidding under sec-  
19          tion 309(j) of the Communications Act of 1934 (47 U.S.C.  
20          309(j)) to grant new licenses for the band of frequencies  
21          between 12700 megahertz and 13250 megahertz, inclu-  
22          sive.



1     **TITLE IV—EXTENSION OF FCC**  
2             **AUCTION AUTHORITY**

3     **SEC. 401. EXTENSION OF FCC AUCTION AUTHORITY.**

4             Section 309(j)(11) of the Communications Act of  
5     1934 (47 U.S.C. 309(j)(11)) is amended by striking  
6     “March 9, 2023” and inserting “September 30, 2029”.

7             **TITLE V—WORKFORCE**  
8                     **DEVELOPMENT**  
9             **Subtitle A—Improving Minority**  
10                     **Participation**

11     **SEC. 501. SHORT TITLE.**

12             This subtitle may be cited as the “Improving Minor-  
13     ity Participation And Careers in Telecommunications Act”  
14     or the “IMPACT Act”.

15     **SEC. 502. DEFINITIONS.**

16             (a) **DEFINITIONS.**—In this subtitle:

17                     (1) **COVERED GRANT.**—The term “covered  
18     grant” means a grant awarded under section 503.

19                     (2) **ELIGIBLE ENTITY.**—The term “eligible enti-  
20     ty” means a historically Black college or university,  
21     a Tribal College or University, or any other minor-  
22     ity-serving institution, or a consortium of those enti-  
23     ties, that forms a partnership with 1 or more of the  
24     following entities to carry out a training program:

1 (A) A member of the telecommunications  
2 industry, such as a company or industry asso-  
3 ciation.

4 (B) A labor or labor-management organi-  
5 zation with experience working in the tele-  
6 communications industry, the electromagnetic  
7 spectrum industry, or a similar industry.

8 (C) The Telecommunications Industry  
9 Registered Apprenticeship Program.

10 (D) A nonprofit organization dedicated to  
11 helping individuals gain employment in the tele-  
12 communications or electromagnetic spectrum  
13 industry.

14 (E) A community or technical college with  
15 experience in providing workforce development  
16 for individuals seeking employment in the tele-  
17 communications industry, electromagnetic spec-  
18 trum industry, or a similar industry.

19 (F) A Federal agency laboratory special-  
20 izing in telecommunications or electromagnetic  
21 spectrum technology that is located within the  
22 National Telecommunications and Information  
23 Administration.

24 (3) GRANT PROGRAM.—The term “Grant Pro-  
25 gram” means the Telecommunications Workforce

1 Training Grant Program established under section  
2 503.

3 (4) HISPANIC-SERVING INSTITUTION.—The  
4 term “Hispanic-serving institution” has the meaning  
5 given the term in section 502(a) of the Higher Edu-  
6 cation Act of 1965 (20 U.S.C. 1101a(a)).

7 (5) HISTORICALLY BLACK COLLEGE OR UNI-  
8 VERSITY.—The term “historically Black college or  
9 university” has the meaning given the term “part B  
10 institution” in section 322 of the Higher Education  
11 Act of 1965 (20 U.S.C. 1061).

12 (6) IMPROPER PAYMENT.—The term “improper  
13 payment” has the meaning given the term in section  
14 2(d) of the Improper Payments Information Act of  
15 2002 (Public Law 107–300; 116 Stat. 2351).

16 (7) INDUSTRY FIELD ACTIVITY.—The term “in-  
17 dustry field activity” means an activity at an active  
18 telecommunications, cable, or broadband network  
19 worksite, such as a tower, construction site, or net-  
20 work management hub.

21 (8) INDUSTRY PARTNER.—The term “industry  
22 partner” means an entity described in any of sub-  
23 paragraphs (A) through (F) of paragraph (2) with  
24 which an eligible entity forms a partnership to carry  
25 out a training program.

1           (9) MINORITY-SERVING INSTITUTION.—The  
2 term “minority-serving institution” means an eligi-  
3 ble institution described in section 371(a) of the  
4 Higher Education Act of 1965 (20 U.S.C.  
5 1067q(a)).

6           (10) REGISTERED APPRENTICESHIP PRO-  
7 GRAM.—The term “registered apprenticeship pro-  
8 gram” means an apprenticeship registered under the  
9 Act of August 16, 1937 (commonly known as the  
10 “National Apprenticeship Act”; 50 Stat. 664, chap-  
11 ter 663).

12           (11) TRAINING PROGRAM.—The term “training  
13 program” means a credit or non-credit program de-  
14 veloped by an eligible entity, in partnership with an  
15 industry partner, that—

16                   (A) is designed to educate and train stu-  
17 dents to participate in the telecommunications  
18 or electromagnetic spectrum workforce; and

19                   (B) includes a curriculum and apprentice-  
20 ship or internship opportunity that can also be  
21 paired with—

22                           (i) a degree program; or

23                           (ii) stacked credentialing toward a de-  
24 gree.

1           (12) TRIBAL COLLEGE OR UNIVERSITY.—The  
2           term “Tribal College or University” has the meaning  
3           given the term in section 316(b) of the Higher Edu-  
4           cation Act of 1965 (20 U.S.C. 1059c(b)).

5 **SEC. 503. PROGRAM.**

6           (a) PROGRAM.—The Under Secretary, acting through  
7           the Director of the Office of Minority Broadband Initia-  
8           tives established under section 902(b)(1) of division N of  
9           the Consolidated Appropriations Act, 2021 (47 U.S.C.  
10          1306), shall establish a program, to be known as the  
11          “Telecommunications Workforce Training Grant Pro-  
12          gram”, under which the Under Secretary shall award  
13          grants to eligible entities to develop training programs.

14          (b) APPLICATION.—

15               (1) IN GENERAL.—An eligible entity desiring a  
16               covered grant shall submit to the Under Secretary  
17               an application at such time, in such manner, and  
18               containing such information as the Under Secretary  
19               may require.

20               (2) CONTENTS.—An eligible entity shall include  
21               in an application submitted under paragraph (1)—

22                       (A) a commitment from the industry part-  
23                       ner of the eligible entity to collaborate with the  
24                       eligible entity to develop a training program, in-

1 including curricula and internships or apprentice-  
2 ships;

3 (B) a description of how the eligible entity  
4 plans to use the covered grant funds, including  
5 the type of training program the eligible entity  
6 plans to develop;

7 (C) a plan for recruitment of students and  
8 potential students to participate in the applica-  
9 ble training program;

10 (D) a plan to increase female student par-  
11 ticipation in the applicable training program;

12 (E) a description of potential jobs to be se-  
13 cured through the applicable training program,  
14 including jobs in the communities surrounding  
15 the eligible entity; and

16 (F) a description of how the eligible entity  
17 will meet the short-term and long-term goals es-  
18 tablished under subsection (e)(2) and perform-  
19 ance metrics established under that subsection.

20 (c) USE OF FUNDS.—An eligible entity may use cov-  
21 ered grant funds, with respect to the training program of  
22 the eligible entity, to—

23 (1) hire faculty members to teach courses in the  
24 applicable training program;

1           (2) train faculty members to prepare students  
2           for employment in jobs related to the deployment of  
3           next-generation wired and wireless communications  
4           networks, including 5G networks, hybrid fiber-co-  
5           axial networks, and fiber infrastructure, particularly  
6           in—

7                   (A) broadband, electromagnetic spectrum,  
8                   or wireless network engineering;

9                   (B) network deployment and maintenance;  
10                  and

11                   (C) industry field activities;

12           (3) design and develop curricula and other com-  
13           ponents necessary for degrees, courses, or programs  
14           of study, including certificate programs and  
15           credentialing programs, that comprise the training  
16           program;

17           (4) pay for costs associated with instruction  
18           under the training program, including the costs of  
19           equipment, telecommunications training towers, lab-  
20           oratory space, classroom space, and instructional  
21           field activities;

22           (5) fund scholarships, student internships, ap-  
23           prenticeships, and pre-apprenticeship opportunities  
24           in the areas described in paragraph (2);

1           (6) recruit students for the training program;  
2           and

3           (7) support the enrollment in the training pro-  
4           gram of individuals working in the telecommuni-  
5           cations or electromagnetic spectrum industry in  
6           order for those individuals to advance professionally  
7           in the industry.

8           (d) GRANT AWARDS.—

9           (1) DEADLINE.—Not later than 2 years after  
10          the date on which amounts are made available to  
11          carry out this section, the Under Secretary shall  
12          award all covered grants.

13          (2) MINIMUM ALLOCATION TO CERTAIN ENTI-  
14          TIES.—Of the total amount of covered grants made  
15          under this section, the Under Secretary shall award  
16          not less than—

17                 (A) 20 percent of covered grant amounts  
18                 to eligible entities that include historically  
19                 Black colleges or universities;

20                 (B) 20 percent of covered grant amounts  
21                 to eligible entities that include Tribal Colleges  
22                 or Universities; and

23                 (C) 20 percent of covered grant amounts  
24                 to eligible entities that include Hispanic-serving  
25                 institutions.



1           (3) COORDINATION.—The Under Secretary  
2 shall ensure that covered grant amounts awarded  
3 under paragraph (2) are coordinated with grant  
4 amounts provided under section 902 of division N of  
5 the Consolidated Appropriations Act, 2021 (47  
6 U.S.C. 1306).

7           (4) CONSTRUCTION.—In awarding covered  
8 grants for education relating to construction, the  
9 Under Secretary may prioritize applications that  
10 partner with registered apprenticeship programs, in-  
11 dustry-led apprenticeship programs, pre-apprentice-  
12 ship programs, other work-based learning opportuni-  
13 ties, or public 2-year community or technical colleges  
14 that have a written agreement with 1 or more reg-  
15 istered apprenticeship programs, industry-led ap-  
16 prenticeship programs, pre-apprenticeship programs,  
17 or other work-based learning opportunities.

18       (e) RULES.—

19           (1) ISSUANCE.—Not later than 180 days after  
20 the date of enactment of this Act, after providing  
21 public notice and an opportunity to comment, the  
22 Under Secretary, in consultation with the Secretary  
23 of Labor and the Secretary of Education, shall issue  
24 final rules governing the Grant Program.

1           (2) CONTENT OF RULES.—In the rules issued  
2           under paragraph (1), the Under Secretary shall—

3                   (A) establish short term and long-term  
4                   goals for an eligible entity that receives a cov-  
5                   ered grant;

6                   (B) establish performance metrics that  
7                   demonstrate whether the goals described in  
8                   paragraph (1) have been met by an eligible en-  
9                   tity;

10                  (C) identify the steps the Under Secretary  
11                  will take to award covered grants through the  
12                  Grant Program if the demand for covered  
13                  grants exceeds the amount appropriated to  
14                  carry out the Grant Program; and

15                  (D) develop criteria for evaluating applica-  
16                  tions for covered grants.

17           (f) TERM.—The Under Secretary shall establish the  
18           term of a covered grant, which may not be less than 5  
19           years.

20           (g) GRANTEE REPORTS.—During the term of a cov-  
21           ered grant received by an eligible entity, the eligible entity  
22           shall submit to the Under Secretary a semiannual report  
23           that, with respect to the preceding 180-day period—

24                   (1) describes how the eligible entity used the  
25                   covered grant amounts;

1           (2) describes the progress the eligible entity  
2           made in developing and executing the applicable  
3           training program;

4           (3) describes the number of faculty and stu-  
5           dents participating in the applicable training pro-  
6           gram;

7           (4) describes the partnership with the industry  
8           partner of the eligible entity, including—

9                   (A) the commitments and in-kind contribu-  
10                  tions made by the industry partner; and

11                   (B) the role of the industry partner in cur-  
12                  riculum development, the degree program, and  
13                  internships and apprenticeships;

14           (5) includes data on internship, apprenticeship,  
15           and employment opportunities and placements; and

16           (6) provides information determined necessary  
17           by Under Secretary to—

18                   (A) measure progress toward the goals es-  
19                  tablished under subsection (e)(2)(A); and

20                   (B) assess whether the goals described in  
21                  subparagraph (A) are being met.

22           (h) OVERSIGHT.—

23                   (1) AUDITS.—The Inspector General of the De-  
24                  partment of Commerce shall audit the Grant Pro-  
25                  gram in order to—

1           (A) ensure that eligible entities use covered  
2           grant amounts in accordance with the require-  
3           ments of this section, including the purposes for  
4           which covered grants may be used, as described  
5           in subsection (c); and

6           (B) prevent waste, fraud, abuse, and im-  
7           proper payments in the operation of the Grant  
8           Program.

9           (2) REVOCATION OF FUNDS.—The Under Sec-  
10          retary shall revoke a covered grant awarded to an el-  
11          igible entity if the eligible entity is not in compliance  
12          with the requirements of this section, including if  
13          the eligible entity uses the grant for a purpose that  
14          is not in compliance with subsection (c).

15          (3) AUDIT FINDINGS.—Any finding by the In-  
16          spector General of the Department of Commerce  
17          under paragraph (1) of waste, fraud, or abuse in the  
18          Grant Program, or that an improper payment has  
19          been made with respect to the Grant Program, shall  
20          identify the following:

21               (A) Any entity within the eligible entity  
22               that committed the applicable act.

23               (B) The amount of funding made available  
24               from the Grant Program to the eligible entity.

1                   (C) The amount of funding determined to  
2                   be an improper payment to an eligible entity, if  
3                   applicable.

4                   (4) NOTIFICATION OF AUDIT FINDINGS.—Not  
5                   later than 7 days after making a finding under para-  
6                   graph (1) of waste, fraud, or abuse in the Grant  
7                   Program, or that an improper payment has been  
8                   made with respect to the Grant Program, the In-  
9                   spector General of the Department of Commerce  
10                  shall concurrently notify the Under Secretary, the  
11                  Committee on Commerce, Science, and Transpor-  
12                  tation of the Senate, and the Committee on Energy  
13                  and Commerce of the House of Representatives of  
14                  that finding, which shall include the information  
15                  identified under paragraph (3) with respect to the  
16                  finding.

17                  (5) FRAUD RISK MANAGEMENT.—The Under  
18                  Secretary shall, with respect to the Grant Pro-  
19                  gram—

20                         (A) designate an entity within the Office of  
21                         Minority Broadband Initiatives to lead fraud  
22                         risk management activities;

23                         (B) ensure that the entity designated  
24                         under subparagraph (A) has defined respon-

1           sibilities and the necessary authority to serve  
2           the role of the entity;

3           (C) conduct risk-based monitoring and  
4           evaluation of fraud risk management activities  
5           with a focus on outcome measurement;

6           (D) collect and analyze data from report-  
7           ing mechanisms and instances of detected fraud  
8           for real-time monitoring of fraud trends;

9           (E) use the results of the monitoring, eval-  
10          uations, and investigations to improve fraud  
11          prevention, detection, and response;

12          (F) plan regular fraud risk assessments  
13          and assess risks to determine a fraud risk pro-  
14          file;

15          (G) develop, document, and communicate  
16          an antifraud strategy, focusing on preventative  
17          control activities;

18          (H) consider the benefits and costs of con-  
19          trols to prevent and detect potential fraud and  
20          develop a fraud response plan; and

21          (I) establish collaborative relationships  
22          with stakeholders and create incentives to help  
23          ensure effective implementation of the antifraud  
24          strategy.

1 (i) ANNUAL REPORT TO CONGRESS.—Until the year  
2 in which all covered grants have expired, the Under Sec-  
3 retary shall submit to Congress an annual report that, for  
4 the year covered by the report—

5 (1) identifies each eligible entity that received a  
6 covered grant and the amount of the covered grant;

7 (2) describes the progress each eligible entity  
8 described in paragraph (1) has made toward accom-  
9 plishing the overall purpose of the Grant Program,  
10 as described in subsection (c);

11 (3) summarizes the job placement status or ap-  
12 prenticeship opportunities of students who have par-  
13 ticipated in each training program;

14 (4) includes the findings of any audits con-  
15 ducted by the Inspector General of the Department  
16 of Commerce under subsection (h)(1) that were not  
17 included in the previous report submitted under this  
18 subsection; and

19 (5) includes information on—

20 (A) the progress of each eligible entity to-  
21 wards the short-term and long-term goals es-  
22 tablished under subsection (e)(2)(A); and

23 (B) the performance of each eligible entity  
24 with respect to the performance metrics de-  
25 scribed in subsection (e)(2)(B).

1       **Subtitle B—National Spectrum**  
2                   **Workforce Plan**

3   **SEC. 511. NATIONAL SPECTRUM WORKFORCE PLAN.**

4       (a) NATIONAL SPECTRUM WORKFORCE PLAN.—Not  
5 later than 1 year after the date of enactment of this Act,  
6 the Under Secretary, in coordination with the Executive  
7 Office of the President, and in consultation with the heads  
8 of the member agencies of the Spectrum Advisory Council  
9 and the stakeholders described in subsection (b), shall de-  
10 velop a National Spectrum Workforce Plan to—

11           (1) understand the spectrum workforce develop-  
12           ment needs for the United States;

13           (2) prioritize the development of, and enhance-  
14           ment to, the spectrum ecosystem workforce, includ-  
15           ing the operational, technical, and policy positions  
16           involved in spectrum-related activities; and

17           (3) consider strategies and methods to encour-  
18           age the development of spectrum engineering train-  
19           ing programs, work-study programs, and trade  
20           school certification programs to strengthen the spec-  
21           trum workforce ecosystem.

22       (b) STAKEHOLDER ENGAGEMENT.—The Under Sec-  
23 retary, in coordination with the Executive Office of the  
24 President, shall use the collaborative framework estab-  
25 lished under section 101(d) to collect input from stake-



1 holders, including academia, Federal agencies, Tribal Na-  
2 tions, and industry, to identify the education and training  
3 programs necessary to equip the existing workforce, and  
4 prepare the future workforce, to meet the evolving spec-  
5 trum-related workforce demands.

6 (c) UPDATES.—Not later than 3 years after the date  
7 of enactment of this Act, and once every 4 years thereafter  
8 (or more frequently, as appropriate, as determined by the  
9 Under Secretary), the Under Secretary, in coordination  
10 with the Executive Office of the President, shall update  
11 the National Spectrum Workforce Plan developed under  
12 subsection (a).

13 (d) REPORT TO CONGRESS.—The Under Secretary  
14 shall submit to Congress the National Spectrum Work-  
15 force Plan established subsection (a) and any updates to  
16 that Plan made under subsection (c).

17 **TITLE VI—SPECTRUM AUCTION**  
18 **TRUST FUND**

19 **SEC. 601. DEFINITION.**

20 In this title, the term “covered auction” means a sys-  
21 tem of competitive bidding—

22 (1) conducted under section 309(j) of the Com-  
23 munications Act of 1934 (47 U.S.C. 309(j)), as  
24 amended by this Act, that commences during the pe-

1       riod beginning on March 9, 2023, and ending on  
2       September 30, 2029;

3               (2) conducted under section 309(j) of the Com-  
4       munications Act of 1934 (47 U.S.C. 309(j)), as  
5       amended by this Act, for the band of frequencies be-  
6       tween 12700 megahertz and 13250 megahertz, in-  
7       clusive, on or after the date of enactment of this  
8       Act;

9               (3) that involves a band of frequencies de-  
10      scribed in section 113(g)(2) of the National Tele-  
11      communications and Information Administration Or-  
12      ganization Act (47 U.S.C. 923(g)(2)) and is con-  
13      ducted on or after the date of enactment of this Act;  
14      or

15              (4) with respect to which the Commission  
16      shares with a licensee a portion of the proceeds, as  
17      described in paragraph (8)(G) of section 309(j) of  
18      the Communications Act of 1934 (47 U.S.C. 309(j)),  
19      as amended by this Act, and that is conducted on  
20      or after the date of enactment of this Act.

21 **SEC. 602. SPECTRUM AUCTION TRUST FUND.**

22       (a) ESTABLISHMENT.—

23              (1) IN GENERAL.—There is established in the  
24      Treasury of the United States a fund to be known  
25      as the “Spectrum Auction Trust Fund” (referred to

1 in this section as the “Fund”) for the purposes de-  
2 scribed in subparagraphs (A) through (J) of sub-  
3 section (c)(1).

4 (2) AMOUNTS AVAILABLE UNTIL EXPENDED.—  
5 Amounts deposited in the Fund shall remain avail-  
6 able until expended.

7 (b) DEPOSIT OF PROCEEDS.—

8 (1) IN GENERAL.—Notwithstanding any other  
9 provision of law, except section 309(j)(8)(B) of the  
10 Communications Act of 1934 (47 U.S.C.  
11 309(j)(8)(B)), the proceeds (including deposits and  
12 upfront payments from successful bidders) from any  
13 covered auction shall be deposited or available as fol-  
14 lows:

15 (A) With respect to a covered auction de-  
16 scribed in paragraph (3) or (4) of section 601,  
17 the proceeds of the covered auction shall be de-  
18 posited or available as follows:

19 (i) With respect to a covered auction  
20 described in section 601(3)—

21 (I) such amount of those pro-  
22 ceeds as is necessary to cover 110 per-  
23 cent of the relocation or sharing costs  
24 (as defined in subsection (g)(3) of sec-  
25 tion 113 of the National Tele-

1 communications and Information Ad-  
2 ministration Organization Act (47  
3 U.S.C. 923)) of Federal entities (as  
4 defined in subsection (l) of such sec-  
5 tion 113) relocated from or sharing  
6 such eligible frequencies shall be de-  
7 posited in the Spectrum Relocation  
8 Fund established under section 118 of  
9 such Act (47 U.S.C. 928); and

10 (II) any remaining proceeds after  
11 making the deposit described in sub-  
12 clause (I) shall be deposited in accord-  
13 ance with subsection (c).

14 (ii) With respect to a covered auction  
15 described in section 601(4)—

16 (I) such amount of those pro-  
17 ceeds as the Commission has agreed  
18 to share with licensees under section  
19 309(j)(8)(G) of the Communications  
20 Act of 1934 (47 U.S.C. 309(j)(8)(G))  
21 shall be shared with those licensees;  
22 and

23 (II) any remaining proceeds after  
24 sharing proceeds, as described in sub-

1 clause (I), shall be deposited in ac-  
2 cordance with subsection (c).

3 (B) After carrying out subparagraph (A)  
4 (if that subparagraph is applicable to the cov-  
5 ered auction), \$2,000,000,000 of the proceeds  
6 of the covered auction shall be deposited in the  
7 general fund of the Treasury, where those pro-  
8 ceeds shall be dedicated for the sole purpose of  
9 deficit reduction.

10 (C) Any proceeds of the covered auction  
11 that remain after carrying out subparagraphs  
12 (A) and (B) shall be deposited in accordance  
13 with subsection (c).

14 (2) PROCEEDS OF SPECTRUM PIPELINE ACT OF  
15 2015 AUCTION.—Except as provided in section  
16 309(j)(8)(B) of the Communications Act of 1934  
17 (47 U.S.C. 309(j)(8)(B)), and notwithstanding any  
18 other provision of law (including paragraph (1)), the  
19 proceeds of the system of competitive bidding re-  
20 quired under section 1004 of the Spectrum Pipeline  
21 Act of 2015 (47 U.S.C. 921 note) shall be deposited  
22 or available as follows:

23 (A) If that system of competitive bidding is  
24 a covered auction described in paragraph (3) or  
25 (4) of section 601, the proceeds of the system

1 of competitive bidding shall be deposited or  
2 available as follows:

3 (i) With respect to a covered auction  
4 described in section 601(3), such amount  
5 of those proceeds as is necessary to cover  
6 110 percent of the relocation or sharing  
7 costs (as defined in subsection (g)(3) of  
8 section 113 of the National Telecommuni-  
9 cations and Information Administration  
10 Organization Act (47 U.S.C. 923)) of Fed-  
11 eral entities (as defined in subsection (l) of  
12 such section 113) relocated from or shar-  
13 ing such eligible frequencies shall be depos-  
14 ited in the Spectrum Relocation Fund es-  
15 tablished under section 118 of such Act  
16 (47 U.S.C. 928).

17 (ii) With respect to a covered auction  
18 described in section 601(4), such amount  
19 of those proceeds as the Commission has  
20 agreed to share with licensees under sec-  
21 tion 309(j)(8)(G) of the Communications  
22 Act of 1934 (47 U.S.C. 309(j)(8)(G)) shall  
23 be shared with those licensees.

24 (B) After carrying out subparagraph (A)  
25 (if that subparagraph is applicable to that sys-

1           tem of competitive bidding), \$300,000,000 of  
2           the proceeds of that system of competitive bid-  
3           ding shall be deposited in the general fund of  
4           the Treasury, where those proceeds shall be  
5           dedicated for the sole purpose of deficit reduc-  
6           tion.

7                   (C) Any proceeds of that system of com-  
8                   petitive bidding that remain after carrying out  
9                   subparagraphs (A) and (B) shall be deposited  
10                  in accordance with subsection (c).

11           (c) DEPOSIT OF FUNDS.—

12                   (1) IN GENERAL.—Notwithstanding any other  
13                   provision of law (except for subsection (b)), an ag-  
14                   gregate total amount of \$22,805,000,000 of the pro-  
15                   ceeds of covered auctions that remain after carrying  
16                   out that subsection shall be deposited in the Fund  
17                   as follows:

18                           (A) 10 percent of those remaining  
19                           amounts, but not more than \$3,080,000,000  
20                           cumulatively, shall be transferred to the general  
21                           fund of the Treasury to reimburse the amount  
22                           borrowed under subsection (d)(1)(A).

23                           (B) 10 percent of those remaining  
24                           amounts, but not more than \$7,000,000,000  
25                           cumulatively, shall be transferred to the general

1 fund of the Treasury to reimburse the amount  
2 borrowed under subsection (d)(1)(B).

3 (C) 10 percent of those remaining  
4 amounts, but not more than \$2,000,000,000  
5 cumulatively, shall be transferred to the general  
6 fund of the Treasury to reimburse the amount  
7 borrowed under subsection (e)(1)(A).

8 (D) 10 percent of those amounts, but not  
9 more than \$3,000,000,000 cumulatively, shall  
10 be transferred to the general fund of the Treas-  
11 ury to reimburse the amount borrowed under  
12 subsection (e)(1)(B).

13 (E) 10 percent of those remaining  
14 amounts, but not more than \$3,300,000,000  
15 cumulatively, shall be transferred to the general  
16 fund of the Treasury to reimburse the amount  
17 borrowed under subsection (e)(1)(C).

18 (F) 10 percent of those remaining  
19 amounts, but not more than \$1,700,000,000  
20 cumulatively, shall be transferred to the general  
21 fund of the Treasury to reimburse the amount  
22 borrowed under subsection (e)(1)(D).

23 (G) 10 percent of those remaining  
24 amounts, but not more than \$200,000,000 cu-  
25 mulatively, shall be transferred to the general



1 fund of the Treasury to reimburse the amount  
2 borrowed under subsection (f).

3 (H) 10 percent of those remaining  
4 amounts, but not more than \$2,000,000,000  
5 cumulatively, shall be made available to the  
6 Under Secretary, to remain available until ex-  
7 pended, to carry out sections 159, 160, and 161  
8 of the National Telecommunications and Infor-  
9 mation Administration Organization Act, as  
10 added by section 801 of this Act, except that  
11 not more than 4 percent of the amount made  
12 available under this subparagraph may be used  
13 for administrative purposes (including carrying  
14 out such sections 160 and 161).

15 (I) 10 percent of those remaining amounts,  
16 but not more than \$500,000,000 cumulatively,  
17 shall be made available to the Under Secretary  
18 to carry out the Telecommunications Workforce  
19 Training Grant Program established under sec-  
20 tion 503.

21 (J) 10 percent of those remaining  
22 amounts, but not more than \$25,000,000 cu-  
23 mulatively, shall be made available to the Under  
24 Secretary and the Secretary of Defense for the  
25 purpose of research and development, engineer-

1           ing studies, economic analyses, activities with  
2           respect to systems, or other planning activities  
3           to improve efficiency and effectiveness of spec-  
4           trum use of the Department of Defense.

5           (2) DISTRIBUTION.—If the maximum amount  
6           permitted under any subparagraph of paragraph (1)  
7           is reached, whether through covered auction pro-  
8           ceeds or appropriations to the program specified in  
9           that subparagraph, any remaining proceeds from the  
10          amount of proceeds of covered auctions described in  
11          that paragraph shall be deposited pro rata based on  
12          the original distribution to all subparagraphs of  
13          paragraph (1) for which the maximum amount per-  
14          mitted has not been met.

15          (3) DEFICIT REDUCTION.—After the amounts  
16          required to be made available by paragraphs (1) and  
17          (2) are so made available, any remaining amounts  
18          shall be deposited in the general fund of the Treas-  
19          ury, where such amounts shall be dedicated for the  
20          sole purpose of deficit reduction.

21          (d) FCC BORROWING AUTHORITY.—

22          (1) IN GENERAL.—Subject to the limitation  
23          under paragraph (2), not later than 90 days after  
24          the date of enactment of this Act, the Commission

1       may borrow from the Treasury of the United States  
2       an amount not to exceed—

3               (A) \$3,080,000,000 to carry out the Se-  
4               cure and Trusted Communications Networks  
5               Act of 2019 (47 U.S.C. 1601 et seq.); and

6               (B) \$7,000,000,000 to carry out section  
7               904 of division N of the Consolidated Appro-  
8               priations Act, 2021 (47 U.S.C. 1752).

9               (2) LIMITATION.—The Commission may not  
10       use any funds borrowed under this subsection in a  
11       manner that may result in outlays on or after De-  
12       cember 31, 2033.

13       (e) DEPARTMENT OF COMMERCE BORROWING AU-  
14       THORITY.—

15               (1) IN GENERAL.—Subject to the limitation  
16       under paragraph (2), not later than 90 days after  
17       the date of enactment of this Act, the Secretary of  
18       Commerce may borrow from the Treasury of the  
19       United States an amount not to exceed—

20               (A) \$2,000,000,000 to carry out section 28  
21               of the Stevenson-Wydler Technology Innovation  
22               Act of 1980 (15 U.S.C. 3722a);

23               (B) \$3,000,000,000 for the fund estab-  
24               lished under section 102(a) of the CHIPS Act  
25               of 2022 (Public Law 117–167), which shall be

1 used to carry out section 9902 of the William  
2 M. (Mac) Thornberry National Defense Author-  
3 ization Act for Fiscal Year 2021 (15 U.S.C.  
4 4652);

5 (C) \$3,300,000,000 to be made available  
6 to the Director of the National Science Founda-  
7 tion to carry out research and related activities,  
8 of which—

9 (i) \$1,650,000,000 shall be for the  
10 Directorate for Technology, Innovation,  
11 and Partnerships established under section  
12 10381 of the Research and Development,  
13 Competition, and Innovation Act (42  
14 U.S.C. 19101); and

15 (ii) \$1,650,000,000 shall be used to  
16 carry out other research and related activi-  
17 ties for which amounts are authorized to  
18 be appropriated under section 10303 of the  
19 Research and Development, Competition,  
20 and Innovation Act (Public Law 117–167);  
21 and

22 (D) \$1,700,000,000 to be made available  
23 to the Under Secretary of Commerce for Stand-  
24 ards and Technology, of which—

1 (i) \$1,475,000,000 shall be used to  
2 carry out scientific and technical research  
3 and services laboratory activities for which  
4 amounts are authorized to be appropriated  
5 under section 10211 of the Research and  
6 Development, Competition, and Innovation  
7 Act (Public Law 117–167); and

8 (ii) \$225,000,000 shall be used for  
9 Safety, Capacity, Maintenance, and Major  
10 Repairs for which amounts are authorized  
11 to be appropriated under section 10211 of  
12 the Research and Development, Competi-  
13 tion, and Innovation Act (Public Law 117–  
14 167).

15 (2) LIMITATION.—The Secretary of Commerce  
16 may not use any funds borrowed under this sub-  
17 section in a manner that may result in outlays on  
18 or after December 31, 2033.

19 (f) NTIA BORROWING AUTHORITY.—

20 (1) IN GENERAL.—Subject to the limitation  
21 under paragraph (2), not later than 90 days after  
22 the date of enactment of this Act, the Under Sec-  
23 retary may borrow from the Treasury of the United  
24 States an amount not to exceed \$200,000,000 to

1 carry out the program established under section  
2 902.

3 (2) LIMITATION.—The Under Secretary may  
4 not use any funds borrowed under this subsection in  
5 a manner that may result in outlays on or after De-  
6 cember 31, 2033.

7 (g) REPORTING REQUIREMENT.—Not later than 2  
8 years after the date of enactment of this Act, and annually  
9 thereafter until funds are fully expended, the heads of the  
10 agencies to which funds are made available under each  
11 subparagraph of subsection (c)(1) shall submit to the  
12 Committee on Commerce, Science, and Transportation of  
13 the Senate and the Committee on Energy and Commerce  
14 of the House of Representatives a report on the amount  
15 transferred or made available under the applicable sub-  
16 paragraph.

17 **TITLE VII—SECURE AND TRUST-**  
18 **ED COMMUNICATIONS NET-**  
19 **WORKS REIMBURSEMENT**  
20 **PROGRAM**

21 **SEC. 701. INCREASE IN LIMITATION ON EXPENDITURE.**

22 Section 4(k) of the Secure and Trusted Communica-  
23 tions Networks Act of 2019 (47 U.S.C. 1603(k)) is  
24 amended by striking “\$1,900,000,000” and inserting  
25 “\$4,980,000,000”.

1 **TITLE VIII—NEXT GENERATION**

2 **9-1-1**

3 **SEC. 801. FURTHER DEPLOYMENT AND COORDINATION OF**  
4 **NEXT GENERATION 9-1-1.**

5 Part C of the National Telecommunications and In-  
6 formation Administration Organization Act is amended by  
7 adding at the end the following:

8 **“SEC. 159. COORDINATION OF NEXT GENERATION 9-1-1 IM-**  
9 **PLEMENTATION.**

10 “(a) DUTIES OF UNDER SECRETARY WITH RESPECT  
11 TO NEXT GENERATION 9-1-1.—

12 “(1) IN GENERAL.—The Under Secretary, after  
13 consulting with the Administrator, shall—

14 “(A) take actions, in coordination with  
15 State points of contact described in subsection  
16 (c)(3)(A)(ii) as applicable, to improve coordina-  
17 tion and communication with respect to the im-  
18 plementation of Next Generation 9-1-1;

19 “(B) develop, collect, and disseminate in-  
20 formation concerning the practices, procedures,  
21 and technology used in the implementation of  
22 Next Generation 9-1-1;

23 “(C) advise and assist eligible entities in  
24 the preparation of implementation plans re-  
25 quired under subsection (c)(3)(A)(iii);

1           “(D) provide technical assistance to eligible  
2           entities provided a grant under subsection (c) in  
3           support of efforts to explore efficiencies related  
4           to Next Generation 9–1–1;

5           “(E) review and approve or disapprove ap-  
6           plications for grants under subsection (c); and

7           “(F) oversee the use of funds provided by  
8           such grants in fulfilling such implementation  
9           plans.

10          “(2) ANNUAL REPORTS.—Not later than Octo-  
11          ber 1, 2025, and each year thereafter until funds  
12          made available to make grants under subsection (c)  
13          are no longer available to be expended, the Under  
14          Secretary shall submit to Congress a report on the  
15          activities conducted by the Under Secretary under  
16          paragraph (1) in the year preceding the submission  
17          of the report.

18          “(3) ASSISTANCE.—The Under Secretary may  
19          seek the assistance of the Administrator in carrying  
20          out the duties described in subparagraphs (A)  
21          through (D) of paragraph (1) as the Under Sec-  
22          retary determines necessary.

23          “(b) ADDITIONAL DUTIES.—

24          “(1) MANAGEMENT PLAN.—





1 cations and Information Administration;  
2 and

3 “(iii) provide the management plan to  
4 the Administrator for the purpose of pub-  
5 lishing the management plan on the  
6 website of the National Highway Traffic  
7 Safety Administration.

8 “(2) MODIFICATION OF PLAN.—

9 “(A) MODIFICATION.—The Under Sec-  
10 retary, after consulting with the Administrator,  
11 may modify the management plan developed  
12 under paragraph (1)(A).

13 “(B) SUBMISSION.—Not later than 90  
14 days after the plan is modified under subpara-  
15 graph (A), the Under Secretary shall—

16 “(i) submit the modified plan to—

17 “(I) the Committee on Com-  
18 merce, Science, and Transportation  
19 and the Committee on Appropriations  
20 of the Senate; and

21 “(II) the Committee on Energy  
22 and Commerce and the Committee on  
23 Appropriations of the House of Rep-  
24 resentatives;

1                   “(ii) publish the modified plan on the  
2                   website of the National Telecommuni-  
3                   cations and Information Administration;  
4                   and

5                   “(iii) provide the modified plan to the  
6                   Administrator for the purpose of pub-  
7                   lishing the modified plan on the website of  
8                   the National Highway Traffic and Safety  
9                   Administration.

10           “(c) NEXT GENERATION 9-1-1 IMPLEMENTATION  
11 GRANTS.—

12                   “(1) GRANTS.—The Under Secretary shall pro-  
13                   vide grants to eligible entities for—

14                   “(A) implementing Next Generation 9-1-  
15                   1;

16                   “(B) maintaining Next Generation 9-1-1;

17                   “(C) training directly related to imple-  
18                   menting, maintaining, and operating Next Gen-  
19                   eration 9-1-1 if the cost related to the training  
20                   does not exceed—

21                   “(i) 3 percent of the total grant  
22                   award for eligible entities that are not  
23                   Tribes; and

24                   “(ii) 5 percent of the total grant  
25                   award for eligible entities that are Tribes;

1           “(D) public outreach and education on how  
2 the public can best use Next Generation 9–1–  
3 1 and the capabilities and usefulness of Next  
4 Generation 9–1–1;

5           “(E) administrative costs associated with  
6 planning of Next Generation 9–1–1, including  
7 any cost related to planning for and preparing  
8 an application and related materials as required  
9 by this subsection, if—

10           “(i) the cost is fully documented in  
11 materials submitted to the Under Sec-  
12 retary; and

13           “(ii) the cost is reasonable and nec-  
14 essary and does not exceed—

15           “(I) 1 percent of the total grant  
16 award for eligible entities that are not  
17 Tribes; and

18           “(II) 2 percent of the total grant  
19 award for eligible entities that are  
20 Tribes; and

21           “(F) costs associated with implementing  
22 cybersecurity measures at emergency commu-  
23 nications centers or with respect to Next Gen-  
24 eration 9–1–1.

1           “(2) APPLICATION.—In providing grants under  
2 paragraph (1), the Under Secretary, after consulting  
3 with the Administrator, shall require an eligible enti-  
4 ty to submit to the Under Secretary an application,  
5 at the time and in the manner determined by the  
6 Under Secretary, containing the certification re-  
7 quired by paragraph (3).

8           “(3) COORDINATION REQUIRED.—An eligible  
9 entity shall include in the application required by  
10 paragraph (2) a certification that—

11                   “(A) in the case of an eligible entity that  
12 is a State, the entity—

13                           “(i) has coordinated the application  
14 with the emergency communications cen-  
15 ters located within the jurisdiction of the  
16 entity;

17                           “(ii) has designated a single officer or  
18 governmental body to serve as the State  
19 point of contact to coordinate the imple-  
20 mentation of Next Generation 9–1–1 for  
21 the State, except that the designation need  
22 not vest the officer or governmental body  
23 with direct legal authority to implement  
24 Next Generation 9–1–1 or to manage  
25 emergency communications operations; and

1           “(iii) has developed and submitted a  
2 plan for the coordination and implementa-  
3 tion of Next Generation 9–1–1 that—

4           “(I) ensures interoperability by  
5 requiring the use of commonly accept-  
6 ed standards;

7           “(II) ensures reliability;

8           “(III) enables emergency commu-  
9 nications centers to process, analyze,  
10 and store multimedia, data, and other  
11 information;

12           “(IV) incorporates cybersecurity  
13 tools, including intrusion detection  
14 and prevention measures;

15           “(V) includes strategies for co-  
16 ordinating cybersecurity information  
17 sharing between Federal, State, Trib-  
18 al, and local government partners;

19           “(VI) uses open and competitive  
20 request for proposal processes, includ-  
21 ing through shared government pro-  
22 curement vehicles, for deployment of  
23 Next Generation 9–1–1;

24           “(VII) documents how input was  
25 received and accounted for from rel-

1 evant rural and urban emergency  
2 communications centers, regional au-  
3 thorities, local authorities, and Tribal  
4 authorities;

5 “(VIII) includes a governance  
6 body or bodies, either by creation of  
7 new, or use of existing, body or bod-  
8 ies, for the development and deploy-  
9 ment of Next Generation 9–1–1  
10 that—

11 “(aa) ensures full notice and  
12 opportunity for participation by  
13 relevant stakeholders; and

14 “(bb) consults and coordi-  
15 nates with the State point of con-  
16 tact required by clause (ii);

17 “(IX) creates efficiencies related  
18 to Next Generation 9–1–1 functions,  
19 including cybersecurity and the  
20 virtualization and sharing of infra-  
21 structure, equipment, and services;  
22 and

23 “(X) utilizes an effective, com-  
24 petitive approach to establishing au-  
25 thentication, credentialing, secure con-

1 nections, and access in deploying Next  
2 Generation 9–1–1, including by—

3 “(aa) requiring certificate  
4 authorities to be capable of cross-  
5 certification with other authori-  
6 ties;

7 “(bb) avoiding risk of a sin-  
8 gle point of failure or vulner-  
9 ability; and

10 “(cc) adhering to Federal  
11 agency best practices such as  
12 those promulgated by the Na-  
13 tional Institute of Standards and  
14 Technology; and

15 “(B) in the case of an eligible entity that  
16 is a Tribe, the entity has complied with clauses  
17 (i) and (iii) of subparagraph (A) (except for  
18 subclause (VIII)(bb) of such clause (iii)).

19 “(4) CRITERIA.—

20 “(A) IN GENERAL.—Not later than 1 year  
21 after the date of enactment of this section, the  
22 Under Secretary, after consulting with the Ad-  
23 ministrator, shall issue rules, after providing  
24 the public with notice and an opportunity to



1 comment, establishing the criteria for selecting  
2 eligible entities for grants under this subsection.

3 “(B) REQUIREMENTS.—The criteria estab-  
4 lished under subparagraph (A) shall—

5 “(i) include performance requirements  
6 and a schedule for completion of any  
7 project to be financed by a grant under  
8 this subsection; and

9 “(ii) specifically permit regional or  
10 multi-State applications for funds.

11 “(C) UPDATES.—The Under Secretary  
12 shall update the rules issued under subpara-  
13 graph (A) as necessary.

14 “(5) GRANT CERTIFICATIONS.—An eligible enti-  
15 ty shall certify to the Under Secretary at the time  
16 of application for a grant under this subsection, and  
17 an eligible entity that receives such a grant shall cer-  
18 tify to the Under Secretary annually thereafter dur-  
19 ing the period during which the funds from the  
20 grant are available to the eligible entity, that—

21 “(A) beginning on the date that is 180  
22 days before the date on which the application is  
23 filed, no portion of any 9–1–1 fee or charge im-  
24 posed by the eligible entity (or if the eligible en-  
25 tity is not a State or Tribe, any State or taxing

1 jurisdiction within which the eligible entity will  
2 carry out, or is carrying out, activities using  
3 grant funds) is obligated or expended for a pur-  
4 pose or function not designated as acceptable  
5 under the rules issued under section 6(f)(3) of  
6 the Wireless Communications and Public Safety  
7 Act of 1999 (47 U.S.C. 615a-1(f)(3)) (as those  
8 rules are in effect on the date on which the eli-  
9 gible entity makes the certification);

10 “(B) any funds received by the eligible en-  
11 tity will be used, consistent with paragraph (1),  
12 to support the deployment of Next Generation  
13 9-1-1 in a manner that ensures reliability and  
14 interoperability by requiring the use of com-  
15 monly accepted standards;

16 “(C) the eligible entity (or if the eligible  
17 entity is not a State or Tribe, any State or tax-  
18 ing jurisdiction within which the eligible entity  
19 will carry out or is carrying out activities using  
20 grant funds) has established, or has committed  
21 to establish not later than 3 years after the  
22 date on which the grant funds are distributed  
23 to the eligible entity—

24 “(i) a sustainable funding mechanism  
25 for Next Generation 9-1-1; and

1                   “(ii) effective cybersecurity resources  
2                   for Next Generation 9–1–1;

3                   “(D) the eligible entity will promote inter-  
4                   operability between emergency communications  
5                   centers deploying Next Generation 9–1–1 and  
6                   emergency response providers, including users  
7                   of the nationwide public safety broadband net-  
8                   work;

9                   “(E) the eligible entity has taken or will  
10                  take steps to coordinate with adjoining States  
11                  and Tribes to establish and maintain Next Gen-  
12                  eration 9–1–1; and

13                  “(F) the eligible entity has developed a  
14                  plan for public outreach and education on how  
15                  the public can best use Next Generation 9–1–  
16                  1 and on the capabilities and usefulness of Next  
17                  Generation 9–1–1.

18                  “(6) CONDITION OF GRANT.—An eligible entity  
19                  shall agree, as a condition of receipt of a grant  
20                  under this subsection, that if any State or taxing ju-  
21                  risdiction within which the eligible entity will carry  
22                  out activities using grant funds fails to comply with  
23                  a certification required under paragraph (5), during  
24                  the period during which the funds from the grant  
25                  are available to the eligible entity, all of the funds

1 from the grant shall be returned to the Under Sec-  
2 retary.

3 “(7) PENALTY FOR PROVIDING FALSE INFOR-  
4 MATION.—An eligible entity that knowingly provides  
5 false information in a certification under paragraph  
6 (5)—

7 “(A) shall not be eligible to receive the  
8 grant under this subsection;

9 “(B) shall return any grant awarded under  
10 this subsection; and

11 “(C) shall not be eligible to receive any  
12 subsequent grants under this subsection.

13 “(8) PROHIBITION.—Grant funds provided  
14 under this subsection may not be used—

15 “(A) to support any activity of the First  
16 Responder Network Authority; or

17 “(B) to make any payments to a person  
18 who has been, for reasons of national security,  
19 prohibited by any entity of the Federal Govern-  
20 ment from bidding on a contract, participating  
21 in an auction, or receiving a grant.

22 “(d) DEFINITIONS.—In this section and sections 160  
23 and 161:

24 “(1) 9-1-1 FEE OR CHARGE.—The term ‘9-1-  
25 1 fee or charge’ has the meaning given the term in

1 section 6(f)(3)(D) of the Wireless Communications  
2 and Public Safety Act of 1999 (47 U.S.C. 615a-  
3 1(f)(3)(D)).

4 “(2) 9-1-1 REQUEST FOR EMERGENCY ASSIST-  
5 ANCE.—The term ‘9-1-1 request for emergency as-  
6 sistance’ means a communication, such as voice,  
7 text, picture, multimedia, or any other type of data,  
8 that is sent to an emergency communications center  
9 for the purpose of requesting emergency assistance.

10 “(3) ADMINISTRATOR.—The term ‘Adminis-  
11 trator’ means the Administrator of the National  
12 Highway Traffic Safety Administration.

13 “(4) COMMONLY ACCEPTED STANDARDS.—The  
14 term ‘commonly accepted standards’ means the tech-  
15 nical standards followed by the communications in-  
16 dustry for network, device, and Internet Protocol  
17 connectivity that—

18 “(A) enable interoperability; and

19 “(B) are—

20 “(i) developed and approved by a  
21 standards development organization that is  
22 accredited by an American standards body  
23 (such as the American National Standards  
24 Institute) or an equivalent international  
25 standards body in a process—

1                   “(I) that is open for participation  
2                   by any person; and

3                   “(II) provides for a conflict reso-  
4                   lution process;

5                   “(ii) subject to an open comment and  
6                   input process before being finalized by the  
7                   standards development organization;

8                   “(iii) consensus-based; and

9                   “(iv) made publicly available once ap-  
10                  proved.

11                  “(5) COST RELATED TO THE TRAINING.—The  
12                  term ‘cost related to the training’ means—

13                   “(A) actual wages incurred for travel and  
14                   attendance, including any necessary overtime  
15                   pay and backfill wage;

16                   “(B) travel expenses;

17                   “(C) instructor expenses; or

18                   “(D) facility costs and training materials.

19                  “(6) ELIGIBLE ENTITY.—The term ‘eligible en-  
20                  tity’—

21                   “(A) means—

22                   “(i) a State or a Tribe; or

23                   “(ii) an entity, including a public au-  
24                   thority, board, or commission, established

1 by 1 or more entities described in clause  
2 (i); and

3 “(B) does not include any entity that has  
4 failed to submit the certifications required  
5 under subsection (c)(5).

6 “(7) EMERGENCY COMMUNICATIONS CENTER.—

7 “(A) IN GENERAL.—The term ‘emergency  
8 communications center’ means—

9 “(i) a facility that—

10 “(I) is designated to receive a 9–  
11 1–1 request for emergency assistance;  
12 and

13 “(II) performs 1 or more of the  
14 functions described in subparagraph  
15 (B); or

16 “(ii) a public safety answering point,  
17 as defined in section 222 of the Commu-  
18 nications Act of 1934 (47 U.S.C. 222).

19 “(B) FUNCTIONS DESCRIBED.—The func-  
20 tions described in this subparagraph are the fol-  
21 lowing:

22 “(i) Processing and analyzing 9–1–1  
23 requests for emergency assistance and in-  
24 formation and data related to such re-  
25 quests.

1                   “(ii) Dispatching appropriate emer-  
2                   gency response providers.

3                   “(iii) Transferring or exchanging 9-  
4                   1-1 requests for emergency assistance and  
5                   information and data related to such re-  
6                   quests with 1 or more other emergency  
7                   communications centers and emergency re-  
8                   sponse providers.

9                   “(iv) Analyzing any communications  
10                  received from emergency response pro-  
11                  viders.

12                  “(v) Supporting incident command  
13                  functions.

14                  “(8) EMERGENCY RESPONSE PROVIDER.—The  
15                  term ‘emergency response provider’ has the meaning  
16                  given that term in section 2 of the Homeland Secu-  
17                  rity Act of 2002 (6 U.S.C. 101).

18                  “(9) FIRST RESPONDER NETWORK AUTHOR-  
19                  ITY.—The term ‘First Responder Network Author-  
20                  ity’ means the authority established under 6204 of  
21                  the Middle Class Tax Relief and Job Creation Act  
22                  of 2012 (47 U.S.C. 1424).

23                  “(10) INTEROPERABILITY.—The term ‘inter-  
24                  operability’ means the capability of emergency com-  
25                  munications centers to receive 9-1-1 requests for



1 emergency assistance and information and data re-  
2 lated to such requests, such as location information  
3 and callback numbers from a person initiating the  
4 request, then process and share the 9–1–1 requests  
5 for emergency assistance and information and data  
6 related to such requests with other emergency com-  
7 munications centers and emergency response pro-  
8 viders without the need for proprietary interfaces  
9 and regardless of jurisdiction, equipment, device,  
10 software, service provider, or other relevant factors.

11 “(11) NATIONWIDE PUBLIC SAFETY  
12 BROADBAND NETWORK.—The term ‘nationwide pub-  
13 lic safety broadband network’ has the meaning given  
14 the term in section 6001 of the Middle Class Tax  
15 Relief and Job Creation Act of 2012 (47 U.S.C.  
16 1401).

17 “(12) NEXT GENERATION 9–1–1.—The term  
18 ‘Next Generation 9–1–1’ means an Internet Pro-  
19 tocol-based system that—

20 “(A) ensures interoperability;

21 “(B) is secure;

22 “(C) employs commonly accepted stand-  
23 ards;

1           “(D) enables emergency communications  
2           centers to receive, process, and analyze all types  
3           of 9–1–1 requests for emergency assistance;

4           “(E) acquires and integrates additional in-  
5           formation useful to handling 9–1–1 requests for  
6           emergency assistance; and

7           “(F) supports sharing information related  
8           to 9–1–1 requests for emergency assistance  
9           among emergency communications centers and  
10          emergency response providers.

11          “(13) RELIABILITY.—The term ‘reliability’  
12          means the employment of sufficient measures to en-  
13          sure the ongoing operation of Next Generation 9–1–  
14          1, including through the use of geo-diverse, device-  
15          and network-agnostic elements that provide more  
16          than 1 route between end points with no common  
17          points where a single failure at that point would  
18          cause all routes to fail.

19          “(14) STATE.—The term ‘State’ means any  
20          State of the United States, the District of Columbia,  
21          Puerto Rico, American Samoa, Guam, the United  
22          States Virgin Islands, the Northern Mariana Is-  
23          lands, and any other territory or possession of the  
24          United States.

1           “(15) SUSTAINABLE FUNDING MECHANISM.—  
2           The term ‘sustainable funding mechanism’ means a  
3           funding mechanism that provides adequate revenues  
4           to cover ongoing expenses, including operations,  
5           maintenance, and upgrades.

6           “(16) TRIBE.—The term ‘Tribe’ has the mean-  
7           ing given to the term ‘Indian Tribe’ in section 4(e)  
8           of the Indian Self-Determination and Education As-  
9           sistance Act (25 U.S.C. 5304(e)).

10 **“SEC. 160. ESTABLISHMENT OF NATIONWIDE NEXT GEN-**  
11 **ERATION 9-1-1 CYBERSECURITY CENTER.**

12           “The Under Secretary, after consulting with the Ad-  
13 ministrator and the Director of the Cybersecurity and In-  
14 frastructure Security Agency of the Department of Home-  
15 land Security, shall establish a Next Generation 9-1-1 Cy-  
16 bersecurity Center to coordinate with State, local, and re-  
17 gional governments on the sharing of cybersecurity infor-  
18 mation about, the analysis of cybersecurity threats to, and  
19 guidelines for strategies to detect and prevent cybersecu-  
20 rity intrusions relating to Next Generation 9-1-1.

21 **“SEC. 161. NEXT GENERATION 9-1-1 ADVISORY BOARD.**

22           “(a) NEXT GENERATION 9-1-1 ADVISORY BOARD.—  
23           “(1) ESTABLISHMENT.—The Under Secretary  
24           shall establish a Public Safety Next Generation 9-  
25           1-1 Advisory Board (in this section referred to as

1 the ‘Board’) to provide recommendations to the  
2 Under Secretary—

3 “(A) with respect to carrying out the du-  
4 ties and responsibilities of the Under Secretary  
5 in issuing the rules required under section  
6 159(c)(4);

7 “(B) as required by paragraph (7) of this  
8 subsection; and

9 “(C) upon request under paragraph (8) of  
10 this subsection.

11 “(2) MEMBERSHIP.—

12 “(A) APPOINTMENT.—Not later than 150  
13 days after the date on which amounts are first  
14 made available to carry out this section, the  
15 Under Secretary shall appoint 16 members to  
16 the Board, of which—

17 “(i) 4 members shall represent local  
18 law enforcement officials;

19 “(ii) 4 members shall represent fire  
20 and rescue officials;

21 “(iii) 4 members shall represent emer-  
22 gency medical service officials; and

23 “(iv) 4 members shall represent 9–1–  
24 1 professionals.

1           “(B) DIVERSITY OF MEMBERSHIP.—Mem-  
2           bers of the Board shall be representatives of  
3           States or Tribes and local governments, chosen  
4           to reflect geographic and population density dif-  
5           ferences, as well as public safety organizations  
6           at the national level across the United States.

7           “(C) EXPERTISE.—Each member of the  
8           Board shall have specific expertise necessary for  
9           developing technical requirements under this  
10          section, such as technical expertise, and exper-  
11          tise related to public safety communications and  
12          9–1–1 services.

13          “(D) RANK AND FILE MEMBERS.—In mak-  
14          ing the appointments under subparagraph (A),  
15          the Under Secretary shall appoint a rank and  
16          file member from each of the public safety dis-  
17          ciplines listed in clauses (i) through (iv) of that  
18          subparagraph as a member of the Board and  
19          shall select the member from an organization  
20          that represents its public safety discipline at the  
21          national level.

22          “(3) PERIOD OF APPOINTMENT.—

23                 “(A) IN GENERAL.—Except as provided in  
24                 subparagraph (B), a member of the Board shall  
25                 serve for a 3-year term.

1           “(B) REMOVAL FOR CAUSE.—A member of  
2           the Board may be removed for cause upon the  
3           determination of the Under Secretary.

4           “(4) VACANCIES.—A vacancy in the Board shall  
5           be filled in the same manner as the original appoint-  
6           ment.

7           “(5) QUORUM.—A majority of the members of  
8           the Board shall constitute a quorum.

9           “(6) CHAIRPERSON AND VICE CHAIRPERSON.—  
10          The Board shall select a Chairperson and Vice  
11          Chairperson from among the members of the Board.

12          “(7) DUTY OF BOARD TO SUBMIT REC-  
13          COMMENDATIONS.—Not later than 120 days after all  
14          members of the Board are appointed under para-  
15          graph (2), the Board shall submit to the Under Sec-  
16          retary recommendations for—

17                 “(A) deploying Next Generation 9–1–1 in  
18                 rural and urban areas;

19                 “(B) ensuring flexibility in guidance, rules,  
20                 and grant funding to allow for technology im-  
21                 provements;

22                 “(C) creating efficiencies related to Next  
23                 Generation 9–1–1, including cybersecurity and  
24                 the virtualization and sharing of core infra-  
25                 structure;

1           “(D) enabling effective coordination among  
2           State, local, Tribal, and territorial government  
3           entities to ensure that the needs of emergency  
4           communications centers in both rural and  
5           urban areas are taken into account in each im-  
6           plementation plan required under section  
7           159(c)(3)(A)(iii); and

8           “(E) incorporating existing cybersecurity  
9           resources into Next Generation 9–1–1 procure-  
10          ment and deployment.

11          “(8) AUTHORITY TO PROVIDE ADDITIONAL REC-  
12          COMMENDATIONS.—Except as provided in paragraphs  
13          (1) and (7), the Board may provide recommenda-  
14          tions to the Under Secretary only upon request of  
15          the Under Secretary.

16          “(9) DURATION OF AUTHORITY.—The Board  
17          shall terminate on the date on which funds made  
18          available to make grants under section 159(c) are no  
19          longer available to be expended.

20          “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
21          tion may be construed as limiting the authority of the  
22          Under Secretary to seek comment from stakeholders and  
23          the public.”.

1     **TITLE IX—MINORITY SERVING**  
2             **INSTITUTIONS PROGRAM**

3     **SEC. 901. DEFINITIONS.**

4         In this title:

5             (1) BROADBAND.—The term “broadband”  
6         means broadband—

7                     (A) having—

8                             (i) a speed of not less than—

9                                     (I) 100 megabits per second for  
10                                     downloads; and

11                                     (II) 20 megabits per second for  
12                                     uploads; and

13                             (ii) a latency sufficient to support rea-  
14                                     sonably foreseeable, real-time, interactive  
15                                     applications; and

16                     (B) with respect to an eligible community,  
17                     offered with a low-cost option that is affordable  
18                     to low- and middle-income residents of the eligi-  
19                     ble community, including through the Afford-  
20                     able Connectivity Program established under  
21                     section 904(b) of division N of the Consolidated  
22                     Appropriations Act, 2021 (47 U.S.C. 1752(b))  
23                     or any successor program, and a low-cost pro-  
24                     gram available through a provider.



1           (2) COVERED PLANNING GRANT.—The term  
2           “covered planning grant” means funding made avail-  
3           able to an eligible applicant for the purpose of devel-  
4           oping or carrying out a local broadband plan from—

5                   (A) an administering entity through a  
6                   subgrant under section 60304(c)(3)(E) of the  
7                   Infrastructure Investment and Jobs Act (47  
8                   U.S.C. 1723); or

9                   (B) an eligible entity—

10                       (i) carrying out pre-deployment plan-  
11                       ning activities under subparagraph (A) of  
12                       section 60102(d)(2) of the Infrastructure  
13                       Investment and Jobs Act (47 U.S.C.  
14                       1702(d)(2)) or carrying out the adminis-  
15                       tration of the grant under subparagraph  
16                       (B) of that Act; or

17                       (ii) carrying out planning activities  
18                       under section 60102(e)(1)(C)(iii) of the In-  
19                       frastructure Investment and Jobs Act (47  
20                       U.S.C. 1702(e)(1)(C)(iii)).

21           (3) DIGITAL EQUITY.—The term “digital eq-  
22           uity” has the meaning given the term in section  
23           60302 of the Infrastructure Investment and Jobs  
24           Act (47 U.S.C. 1721).

1           (4) ELIGIBLE APPLICANT.—The term “eligible  
2 applicant” means an organization that does not re-  
3 ceive a covered planning grant and—

4           (A) is described in section 501(c)(3) of the  
5 Internal Revenue Code of 1986 and is exempt  
6 from taxation under section 501(a) of that  
7 Code;

8           (B) has a mission that is aligned with ad-  
9 vancing digital equity;

10           (C) has relevant experience and expertise  
11 supporting eligible community anchor institu-  
12 tions to engage in the planning for the expan-  
13 sion and adoption of reliable and affordable  
14 broadband and deployment of broadband, and  
15 the advancement of digital equity—

16           (i) on campus at those institutions;

17           and

18           (ii) to low-income residents in eligible  
19 communities with respect to those institu-  
20 tions; and

21           (D) employs staff with expertise in the de-  
22 velopment of broadband plans, the construction  
23 of internet infrastructure, or the design and de-  
24 livery of digital equity programs, including  
25 through the use of contractors and consultants,

1           except that the employment of the staff does  
2           not rely solely on outsourced contracts.

3           (5) ELIGIBLE COMMUNITY.—The term “eligible  
4           community” means a community that—

5                   (A) is located—

6                           (i) within a census tract any portion  
7                           of which is not more than 15 miles from  
8                           an eligible community anchor institution;  
9                           and

10                           (ii) with respect to a Tribal College or  
11                           University located on land held in trust by  
12                           the United States—

13                                   (I) not more than 15 miles from  
14                                   the Tribal College or University; or

15                                   (II) within a maximum distance  
16                                   established by the Under Secretary, in  
17                                   consultation with the Secretary of the  
18                                   Interior, to ensure that the area is  
19                                   statistically comparable to other areas  
20                                   described in clause (i); and

21                           (B) has an estimated median annual  
22                           household income of not more than 250 percent  
23                           of the poverty line, as defined in section 673 of  
24                           the Community Services Block Grant Act (42  
25                           U.S.C. 9902).

1           (6) ELIGIBLE COMMUNITY ANCHOR INSTITU-  
2           TION.—The term “eligible community anchor insti-  
3           tution” means a historically Black college or univer-  
4           sity, a Tribal College or University, or a Minority-  
5           serving institution.

6           (7) ELIGIBLE ENTITY.—The term “eligible enti-  
7           ty” has the meaning given the term in section 60102  
8           of the Infrastructure Investment and Jobs Act (47  
9           U.S.C. 1702).

10          (8) HISTORICALLY BLACK COLLEGE OR UNI-  
11          VERSITY; TRIBAL COLLEGE OR UNIVERSITY; MINOR-  
12          ITY-SERVING INSTITUTION.—The terms “historically  
13          Black college or university”, “Tribal College or Uni-  
14          versity”, and “Minority-serving institution” have the  
15          meanings given those terms in section 902(a) of title  
16          IX of division N of the Consolidated Appropriations  
17          Act, 2021 (47 U.S.C. 1306(a)), and include an es-  
18          tablished fiduciary of such educational institution,  
19          such as an affiliated foundation, or a district or  
20          State system affiliated with such educational institu-  
21          tion.

22          (9) IMPROPER PAYMENTS.—The term “im-  
23          proper payments” has the meaning given the term  
24          in section 3351 of title 31, United States Code.

1           (10) LOCAL BROADBAND PLAN.—The term  
2           “local broadband plan” means a plan developed pur-  
3           suant to section 902(c).

4           (11) PROGRAM.—The term “Program” means  
5           the pilot program established under section 902(a).

6 **SEC. 902. PROGRAM.**

7           (a) ESTABLISHMENT.—The Under Secretary, acting  
8           through the head of the Office of Minority Broadband Ini-  
9           tiatives, shall use the amounts borrowed under section  
10          602(f) to establish within the National Telecommuni-  
11          cations and Information Administration a pilot program  
12          for the purposes described in subsection (c) of this section,  
13          provided that not more than 6 percent of the amounts  
14          used to establish the pilot program may be used for salary,  
15          expenses, administration, and oversight with respect to the  
16          pilot program.

17          (b) AUTHORITY.—The Under Secretary may use  
18          funding mechanisms, including grants, cooperative agree-  
19          ments, and contracts, for the effective implementation of  
20          the Program.

21          (c) PURPOSES.—Funding made available under the  
22          Program shall enable an eligible applicant to work with  
23          an eligible community anchor institution, and each eligible  
24          community with respect to the eligible community anchor  
25          institution, to develop a local broadband plan to—

1           (1) identify barriers to broadband deployment  
2           and adoption in order to expand the availability and  
3           adoption of broadband at the eligible community an-  
4           chor institution and within each such eligible com-  
5           munity;

6           (2) advance digital equity at the eligible com-  
7           munity anchor institution and within each such eligi-  
8           ble community; and

9           (3) help each such eligible community to pre-  
10          pare applications for funding from multiple sources,  
11          including from—

12                 (A) the various programs authorized under  
13                 the Infrastructure Investment and Jobs Act  
14                 (Public Law 117–58; 135 Stat. 429); and

15                 (B) other Federal, State, and Tribal  
16                 sources of funding for broadband deployment,  
17                 affordable broadband internet service, or digital  
18                 equity.

19          (d) CONTENTS OF LOCAL BROADBAND PLAN.—A  
20          local broadband plan shall—

21                 (1) be developed in coordination with stake-  
22                 holder representatives; and

23                 (2) with respect to support for infrastructure  
24                 funding—

- 1 (A) reflect an approach that is perform-  
2 ance-based and does not favor any particular  
3 technology, provider, or type of provider; and
- 4 (B) include—
- 5 (i) a description of the demographic  
6 profile of each applicable eligible commu-  
7 nity;
- 8 (ii) an assessment of the needs of  
9 each applicable eligible community, includ-  
10 ing with respect to digital literacy, work-  
11 force development, and device access needs;
- 12 (iii) a summary of current (as of the  
13 date of the most current data published by  
14 the Commission) service providers oper-  
15 ating in each applicable eligible community  
16 and the broadband offerings and related  
17 services in each applicable eligible commu-  
18 nity;
- 19 (iv) an estimate of capital and oper-  
20 ational expenditures for the course of ac-  
21 tion recommended in the local broadband  
22 plan;
- 23 (v) a preliminary implementation  
24 schedule for the deployment of broadband

1 required under the local broadband plan;  
2 and

3 (vi) a summary of the potential em-  
4 ployment, development, and revenue cre-  
5 ation opportunities for the eligible commu-  
6 nity anchor institution and each applicable  
7 eligible community.

8 (e) APPLICATION.—

9 (1) IN GENERAL.—To be eligible to receive  
10 funding under the Program, an applicant that is an  
11 eligible applicant shall submit to the Under Sec-  
12 retary, acting through the head of the Office of Mi-  
13 nority Broadband Initiatives, an application con-  
14 taining—

15 (A) the name and mailing address of the  
16 applicant;

17 (B) the name and email address of the  
18 point of contact for the applicant;

19 (C) documentation providing evidence that  
20 the applicant is an eligible applicant;

21 (D) a summary description of the proposed  
22 approach that the applicant will take to expand  
23 the availability and adoption of broadband;

24 (E) an outline or sample of the proposed  
25 local broadband plan with respect to the funds;



1 (F) a draft proposal for carrying out the  
2 local broadband plan with respect to the funds,  
3 describing with specificity how funds will be  
4 used;

5 (G) a summary of past performance in  
6 which the applicant created plans similar to the  
7 local broadband plan for communities similar to  
8 each applicable eligible community;

9 (H) a description of the approach the ap-  
10 plicant will take to engage each applicable eligi-  
11 ble community and the applicable eligible com-  
12 munity anchor institution and report outcomes  
13 relating to that engagement;

14 (I) a description of how the applicant will  
15 meet the short-term and long-term goals de-  
16 scribed in subsection (h)(2)(A); and

17 (J) a certification that the applicant is not  
18 a recipient of a covered planning grant.

19 (2) DEADLINES.—The Under Secretary, acting  
20 through the head of the Office of Minority  
21 Broadband Initiatives, shall publish a notice for the  
22 Program not later than 60 days after the date of en-  
23 actment of this Act.

24 (f) SELECTION CRITERIA.—When selecting an eligi-  
25 ble applicant to receive funding under the Program, the

1 Under Secretary may give preference or priority to an eli-  
2 gible applicant, the application of which, if awarded, would  
3 enable a greater number of eligible communities to be  
4 served.

5 (g) REPORT.—

6 (1) IN GENERAL.—Not later than 540 days  
7 after the date of enactment of this Act, the Under  
8 Secretary, acting through the head of the Office of  
9 Minority Broadband Initiatives, shall submit to the  
10 Committee on Commerce, Science, and Transpor-  
11 tation of the Senate and the Committee on Energy  
12 and Commerce of the House of Representatives a re-  
13 port, which the Under Secretary, acting through the  
14 head of the Office of Minority Broadband Initiatives,  
15 shall make available to the public.

16 (2) CONTENTS.—The report described in para-  
17 graph (1) shall include, for the period covered by the  
18 report—

19 (A) the number of eligible applicants that  
20 submitted applications under the Program;

21 (B) the number of eligible applicants that  
22 received funding under the Program;

23 (C) a summary of the funding amounts  
24 made available to eligible applicants under the  
25 Program and the list of eligible community an-

1            chor institutions the eligible applicants propose  
2            to serve;

3            (D) the number of eligible communities  
4            that ultimately received funding or financing to  
5            promote broadband adoption and to deploy  
6            broadband in the eligible community under the  
7            Program;

8            (E) information determined necessary by  
9            the Under Secretary to measure progress to-  
10          ward the goals described in subsection  
11          (h)(2)(A) and assess whether the goals de-  
12          scribed in that subsection are being met; and

13          (F) an identification of each eligible appli-  
14          cant that received funds through the Program  
15          and a description of the progress each eligible  
16          applicant has made toward accomplishing the  
17          purpose of the Program, as described in sub-  
18          section (e).

19          (h) PUBLIC NOTICE; REQUIREMENTS.—

20            (1) PUBLIC NOTICE.—Not later than 90 days  
21            after the date on which the Under Secretary pro-  
22            vides public notice of the Program, the Under Sec-  
23            retary, in consultation with the head of the Office of  
24            Minority Broadband Initiatives, shall issue the No-  
25            tice of Funding Opportunity governing the Program.

1           (2) REQUIREMENTS.—In the notice required  
2 under paragraph (1), the Under Secretary shall—

3           (A) establish short-term and long-term  
4 goals for eligible applicants that receive funds  
5 under the Program;

6           (B) establish performance metrics by  
7 which to evaluate whether an eligible applicant  
8 has met the goals described in subparagraph  
9 (A); and

10           (C) identify the selection criteria described  
11 in subsection (f) that the Under Secretary will  
12 use to award funds under the Program if de-  
13 mand for funds under the Program exceeds the  
14 amount appropriated for carrying out the Pro-  
15 gram.

16 (i) OVERSIGHT.—

17           (1) AUDITS.—The Inspector General of the De-  
18 partment of Commerce (referred to in this sub-  
19 section as the “Inspector General”) shall conduct an  
20 audit of the Program in order to—

21           (A) ensure that eligible applicants use  
22 funds awarded under the Program in accord-  
23 ance with—

24           (i) the requirements of this title; and

1 (ii) the purposes of the Program, as  
2 described in subsection (c); and

3 (B) prevent waste, fraud, abuse, and im-  
4 proper payments.

5 (2) REVOCATION OF FUNDS.—The Under Sec-  
6 retary shall revoke funds awarded to an eligible ap-  
7 plicant that is not in compliance with the require-  
8 ments of this section or the purposes of the Pro-  
9 gram, as described in subsection (c).

10 (3) AUDIT FINDINGS.—Each finding of waste,  
11 fraud, abuse, or an improper payment by the Inspec-  
12 tor General in an audit under paragraph (1) shall  
13 include the following:

14 (A) The name of the eligible applicant.

15 (B) The amount of funding made available  
16 under the Program to the eligible applicant.

17 (C) The amount of funding determined to  
18 be an improper payment made to an eligible ap-  
19 plicant involved in the waste, fraud, abuse, or  
20 improper payment.

21 (4) NOTIFICATION OF AUDIT FINDINGS.—Not  
22 later than 7 days after the date of a finding de-  
23 scribed under paragraph (3), the Inspector General  
24 shall concurrently notify the Under Secretary, the  
25 Committee on Commerce, Science, and Transpor-

1 tation of the Senate, and the Committee on Energy  
2 and Commerce of the House of Representatives of  
3 the information described in that paragraph.

4 (5) FRAUD RISK MANAGEMENT.—In issuing  
5 rules under this subsection, the Under Secretary  
6 shall—

7 (A) designate an entity within the Pro-  
8 gram office to lead fraud risk management ac-  
9 tivities;

10 (B) ensure the entity designated under  
11 subparagraph (A) has defined responsibilities  
12 and the necessary authority to serve its role;

13 (C) conduct risk-based monitoring and  
14 evaluation of fraud risk management activities  
15 with a focus on outcome measurement;

16 (D) collect and analyze data from report-  
17 ing mechanisms and instances of detected fraud  
18 for real-time monitoring of fraud trends;

19 (E) use the results of the monitoring, eval-  
20 uations, and investigations to improve fraud  
21 prevention, detection, and response;

22 (F) plan regular fraud risk assessments  
23 and assess risks to determine a fraud risk pro-  
24 file;

1           (G) develop, document, and communicate  
2           an anti-fraud strategy, focusing on preventative  
3           control activities;

4           (H) consider the benefits and costs of con-  
5           trols to prevent and detect potential fraud, and  
6           develop a fraud response plan; and

7           (I) establish collaborative relationships  
8           with stakeholders and create incentives to help  
9           ensure effective implementation of the anti-  
10          fraud strategy described in subparagraph (G).