



AMENDMENT NO. _____ Calendar No. _____

Purpose: To state the policy of the United States regarding
unlicensed spectrum, and for other purposes.

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

S. 2555

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHATZ (for
himself and Mr. MORAN)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ___ UNLICENSED SPECTRUM POLICY.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States—

5 (1) to maximize the benefit to the people of the
6 United States of the spectrum resources of the
7 United States;

8 (2) to advance innovation and investment in
9 wireless broadband services; and

10 (3) to promote spectrum policy that makes
11 available on an unlicensed basis radio frequency

1 bands sufficient to meet consumer demand for unli-
2 censed wireless broadband operations.

3 (b) COMMISSION RESPONSIBILITIES.—The Commis-
4 sion shall ensure that the efforts of the Commission re-
5 lated to spectrum allocation and assignment make avail-
6 able on an unlicensed basis radio frequency bands suffi-
7 cient to meet demand for unlicensed wireless broadband
8 operations if doing so is, after taking into account the fu-
9 ture needs of other spectrum users—

10 (1) reasonable; and

11 (2) in the public interest.

12 (c) COMMISSION ACTION.—Not later than 18 months
13 after the date of enactment of this Act, the Commission
14 shall take action to implement subsection (b).

15 **SEC. ____ . NATIONAL PLAN FOR UNLICENSED SPECTRUM.**

16 (a) DEFINITIONS.—In this section—

17 (1) the term “Spectrum Relocation Fund”
18 means the Fund established under section 118 of
19 the National Telecommunications and Information
20 Administration Organization Act (47 U.S.C. 928);
21 and

22 (2) the term “unlicensed operations” means the
23 use of spectrum on a non-exclusive basis under—

24 (A) part 15 of title 47, Code of Federal
25 Regulations; or

1 (B) licensing by rule under part 96 of title
2 47, Code of Federal Regulations.

3 (b) NATIONAL PLAN.—Not later than 1 year after
4 the date of enactment of this Act, the Commission, in con-
5 sultation with the NTIA, shall develop a national plan for
6 making additional radio frequency bands available for un-
7 licensed operations.

8 (c) REQUIREMENTS.—The plan developed under this
9 section shall—

10 (1) identify an approach that ensures that con-
11 sumers have access to additional spectrum to con-
12 duct unlicensed operations in a range of radio fre-
13 quencies to meet consumer demand;

14 (2) recommend specific actions by the Commis-
15 sion and the NTIA to permit unlicensed operations
16 in additional radio frequency ranges that the Com-
17 mission finds—

18 (A) are consistent with the statement of
19 policy under section ____ (a);

20 (B) will—

21 (i) expand opportunities for unli-
22 censed operations in a spectrum band; or

23 (ii) otherwise improve spectrum utili-
24 zation and intensity of use of bands where

1 unlicensed operations are already per-
2 mitted;

3 (C) will not cause harmful interference to
4 Federal or non-Federal users of such bands;
5 and

6 (D) will not significantly impact homeland
7 security or national security communications
8 systems; and

9 (3) examine additional ways, with respect to ex-
10 isting and planned databases or spectrum access sys-
11 tems designed to promote spectrum sharing and ac-
12 cess to spectrum for unlicensed operations, to—

13 (A) improve accuracy and efficacy;

14 (B) reduce burdens on consumers, manu-
15 facturers, and service providers; and

16 (C) protect sensitive Government informa-
17 tion.

18 (d) SPECTRUM RELOCATION FUND.—To be included
19 as part of the plan developed under this section, the NTIA
20 shall share with the Commission recommendations about
21 how to reform the Spectrum Relocation Fund to—

22 (1) address costs incurred by Federal entities
23 related to sharing radio frequency bands with radio
24 technologies conducting unlicensed operations; and

1 (2) ensure the Fund has sufficient funds to
2 cover—

3 (A) the costs described in paragraph (1);
4 and

5 (B) other expenditures allowed of the
6 Fund under section 118 of the National Tele-
7 communications and Information Administra-
8 tion Organization Act (47 U.S.C. 928).

9 (e) REPORT REQUIRED.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the Commission
12 shall submit to the appropriate committees of Con-
13 gress a report that describes the plan developed
14 under this section, including any recommendations
15 for legislative change.

16 (2) PUBLICATION ON COMMISSION WEBSITE.—
17 Not later than the date on which the Commission
18 submits the report under paragraph (1), the Com-
19 mission shall make the report publicly available on
20 the website of the Commission.