

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7624

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## AN ACT

To make available additional frequencies in the 3.1–3.45 GHz band for non-Federal use, shared Federal and non-Federal use, or a combination thereof, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Spectrum Innovation Act of 2022”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SPECTRUM AUCTIONS AND INNOVATION

Sec. 101. Spectrum auctions and innovation.

TITLE II—SECURE AND TRUSTED COMMUNICATIONS NETWORKS  
REIMBURSEMENT PROGRAM

Sec. 201. Increase in limitation on expenditure.

TITLE III—NEXT GENERATION 9–1–1

Sec. 301. Further deployment and coordination of Next Generation 9–1–1.

TITLE IV—INCUMBENT INFORMING CAPABILITY

Sec. 401. Incumbent informing capability.

TITLE V—EXTENSION OF FCC AUCTION AUTHORITY

Sec. 501. Extension of FCC auction authority.

TITLE VI—PUBLIC SAFETY AND SECURE NETWORKS FUND

Sec. 601. Public Safety and Secure Networks Fund.

TITLE VII—DETERMINATION OF BUDGETARY EFFECTS

Sec. 701. Determination of budgetary effects.

6 **TITLE I—SPECTRUM AUCTIONS**  
7 **AND INNOVATION**

8 **SEC. 101. SPECTRUM AUCTIONS AND INNOVATION.**

9 (a) DEFINITIONS.—In this section:

10 (1) ASSISTANT SECRETARY.—The term “Assist-  
11 ant Secretary” means the Assistant Secretary of  
12 Commerce for Communications and Information.

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

3           (3) COVERED BAND.—The term “covered  
4 band” means the band of frequencies between 3100  
5 megahertz and 3450 megahertz, inclusive.

6           (4) FEDERAL ENTITY.—The term “Federal en-  
7 tity” has the meaning given such term in section  
8 113(l) of the National Telecommunications and In-  
9 formation Administration Organization Act (47  
10 U.S.C. 923(l)).

11           (5) RELEVANT CONGRESSIONAL COMMIT-  
12 TEES.—The term “relevant congressional commit-  
13 tees” means—

14                   (A) the Committee on Energy and Com-  
15 merce of the House of Representatives;

16                   (B) the Committee on Commerce, Science,  
17 and Transportation of the Senate;

18                   (C) the Committee on Armed Services of  
19 the House of Representatives; and

20                   (D) the Committee on Armed Services of  
21 the Senate.

22           (6) RELOCATION OR SHARING COSTS.—The  
23 term “relocation or sharing costs” has the meaning  
24 given such term in section 113(g)(3) of the National

1       Telecommunications and Information Administration  
2       Organization Act (47 U.S.C. 923(g)(3)).

3               (7) SECRETARY.—The term “Secretary” means  
4       the Secretary of Commerce.

5       (b) 3.1–3.45 GHz BAND.—

6               (1) PIPELINE FUNDING.—

7                       (A) IN GENERAL.—A Federal entity with  
8       operations in the covered band that the Assist-  
9       ant Secretary determines might be affected by  
10      reallocation of the covered band may request a  
11      payment of up to \$25,000,000 under section  
12      118(g)(2)(A) of the National Telecommuni-  
13      cations and Information Administration Organi-  
14      zation Act (47 U.S.C. 928(g)(2)(A)) in order to  
15      make available the entire covered band for non-  
16      Federal use, shared Federal and non-Federal  
17      use, or a combination thereof.

18                      (B) EXEMPTIONS.—Subparagraphs (C)(ii)  
19      and (D)(ii) of section 118(g)(2) of the National  
20      Telecommunications and Information Adminis-  
21      tration Organization Act (47 U.S.C. 928(g)(2))  
22      shall not apply with respect to a payment de-  
23      scribed in subparagraph (A) of this paragraph.

24                      (C) OVERSIGHT.—The Assistant Secretary  
25      and the Executive Office of the President shall

1 continuously review and provide oversight of the  
2 activities carried out using a payment described  
3 in subparagraph (A) of this paragraph, the pay-  
4 ment required by section 90008(b)(1)(A) of the  
5 Infrastructure Investment and Jobs Act (Public  
6 Law 117–58; 135 Stat. 1348; 47 U.S.C. 921  
7 note), as such section was in effect on the day  
8 before the date of the enactment of this Act, or  
9 a combination of both such payments.

10 (D) REPORT TO SECRETARY OF COM-  
11 MERCE AND CONGRESS.—Not later than 15  
12 months after the date of the enactment of this  
13 Act, for the purposes of aiding the Secretary in  
14 making the identification under paragraph (2)  
15 and informed by the activities carried out using  
16 a payment described in subparagraph (A), the  
17 payment required by section 90008(b)(1)(A) of  
18 the Infrastructure Investment and Jobs Act  
19 (Public Law 117–58; 135 Stat. 1348; 47  
20 U.S.C. 921 note), as such section was in effect  
21 on the day before the date of the enactment of  
22 this Act, or a combination of both such pay-  
23 ments, any Federal entity receiving such a pay-  
24 ment or payments, in consultation with the As-  
25 sistant Secretary and the Executive Office of

1 the President, shall submit to the Secretary and  
2 the relevant congressional committees a report  
3 that—

4 (i) contains the findings of the activi-  
5 ties carried out using such payment or  
6 payments; and

7 (ii) recommends frequencies in the  
8 covered band for identification by the Sec-  
9 retary under paragraph (2).

10 (2) IDENTIFICATION.—Not later than 21  
11 months after the date of the enactment of this Act,  
12 informed by the report required under paragraph  
13 (1)(D), the Secretary, in consultation with the Sec-  
14 retary of Defense, the Director of the Office of  
15 Science and Technology Policy, and the Commission,  
16 shall submit to the President, the Commission, and  
17 the relevant congressional committees a report that  
18 identifies for inclusion in a system of competitive  
19 bidding under paragraph (3) 350 megahertz of fre-  
20 quencies in the covered band for non-Federal use,  
21 shared Federal and non-Federal use, or a combina-  
22 tion thereof.

23 (3) AUCTION.—

24 (A) IN GENERAL.—Not later than 7 years  
25 after the date of the enactment of this Act, the

1 Commission, in coordination with the Assistant  
2 Secretary, shall commence a system of competi-  
3 tive bidding under section 309(j) of the Com-  
4 munications Act of 1934 (47 U.S.C. 309(j)), in  
5 accordance with paragraph (2) of this sub-  
6 section, of the frequencies identified under such  
7 paragraph for a system of competitive bidding.

8 (B) PROHIBITION.—No entity that pro-  
9 duces or provides any covered communications  
10 equipment or service (as defined in section 9 of  
11 the Secure and Trusted Communications Net-  
12 works Act of 2019 (47 U.S.C. 1608)), or any  
13 affiliate (as defined in section 3 of the Commu-  
14 nications Act of 1934 (47 U.S.C. 153)) of such  
15 an entity, may participate in the system of com-  
16 petitive bidding required by subparagraph (A).

17 (C) SCOPE.—The Commission may not in-  
18 clude in the system of competitive bidding re-  
19 quired by subparagraph (A) any frequencies  
20 that are not in the covered band.

21 (D) DEPOSIT OF PROCEEDS.—Notwith-  
22 standing subparagraphs (A), (C)(i), and (D) of  
23 section 309(j)(8) of the Communications Act of  
24 1934 (47 U.S.C. 309(j)(8)) and except as pro-  
25 vided in subparagraph (B) of such section, the

1 proceeds (including deposits and upfront pay-  
2 ments from successful bidders) of the system of  
3 competitive bidding required by subparagraph  
4 (A) of this paragraph (in this subparagraph re-  
5 ferred to as the “covered proceeds”) shall be  
6 deposited or available as follows:

7 (i) Such amount of the covered pro-  
8 ceeds as is necessary to cover 110 percent  
9 of the relocation or sharing costs of Fed-  
10 eral entities relocated from or sharing the  
11 frequencies identified under paragraph (2)  
12 of this subsection shall be deposited in the  
13 Spectrum Relocation Fund established  
14 under section 118 of the National Tele-  
15 communications and Information Adminis-  
16 tration Organization Act (47 U.S.C. 928).

17 (ii) After the amount required to be  
18 deposited by clause (i) is so deposited, any  
19 remainder of the covered proceeds shall be  
20 deposited in the Public Safety and Secure  
21 Networks Fund established by section 601.

22 (4) MODIFICATION OR WITHDRAWAL.—

23 (A) IN GENERAL.—The President shall  
24 modify or withdraw any assignment to a Fed-  
25 eral Government station of the frequencies iden-



1           tified under paragraph (2) to accommodate  
2           non-Federal use, shared Federal and non-Fed-  
3           eral use, or a combination thereof in accordance  
4           with that paragraph.

5           (B) LIMITATIONS.—The President may not  
6           modify or withdraw any assignment to a Fed-  
7           eral Government station as described in sub-  
8           paragraph (A)—

9                   (i) unless the President determines  
10                   that such modification or withdrawal will  
11                   not compromise the primary mission of a  
12                   Federal entity operating in the covered  
13                   band; or

14                   (ii) before November 30, 2024.

15           (5) AUCTION PROCEEDS TO COVER 110 PER-  
16           CENT OF FEDERAL RELOCATION OR SHARING  
17           COSTS.—Nothing in this subsection shall be con-  
18           strued to relieve the Commission from the require-  
19           ments under section 309(j)(16)(B) of the Commu-  
20           nications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

21           (c) FCC AUCTION AUTHORITY.—

22           (1) TERMINATION.—Section 309(j)(11) of the  
23           Communications Act of 1934 (47 U.S.C. 309(j)(11))  
24           is amended by striking “2025” and all that follows  
25           and inserting “2026, and with respect to the electro-

1 magnetic spectrum identified under section  
2 101(b)(2) of the Spectrum Innovation Act of 2022,  
3 such authority shall expire on the date that is 7  
4 years after the date of the enactment of that Act.”.

5 (2) SPECTRUM PIPELINE ACT OF 2015.—Section  
6 1004 of the Spectrum Pipeline Act of 2015 (Public  
7 Law 114–74; 129 Stat. 621; 47 U.S.C. 921 note) is  
8 amended—

9 (A) in subsection (a), by striking “2022”  
10 and inserting “2024”;

11 (B) in subsection (b)(1), by striking  
12 “2022” and inserting “2024”; and

13 (C) in subsection (c)(1)(B), by striking  
14 “2024” and inserting “2026”.

15 (d) REPEAL.—Section 90008 of the Infrastructure  
16 Investment and Jobs Act (Public Law 117–58; 135 Stat.  
17 1348; 47 U.S.C. 921 note), and the item relating to such  
18 section in the table of contents in section 1(b) of such Act,  
19 are repealed.

20 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
21 tion, or the repeal made by subsection (d), may be con-  
22 strued to alter or impede the activities authorized to be  
23 conducted using the payment required by section  
24 90008(b)(1)(A) of the Infrastructure Investment and Jobs  
25 Act (Public Law 117–58; 135 Stat. 1348; 47 U.S.C. 921

1 note), as such section was in effect on the day before the  
 2 date of the enactment of this Act, if the Assistant Sec-  
 3 retary determines that such activities are conducted in ac-  
 4 cordance with subsection (b) of this section.

5 **TITLE II—SECURE AND TRUSTED**  
 6 **COMMUNICATIONS NET-**  
 7 **WORKS REIMBURSEMENT**  
 8 **PROGRAM**

9 **SEC. 201. INCREASE IN LIMITATION ON EXPENDITURE.**

10 Section 4(k) of the Secure and Trusted Communica-  
 11 tions Networks Act of 2019 (47 U.S.C. 1603(k)) is  
 12 amended by striking “\$1,900,000,000” and inserting  
 13 “\$4,980,000,000”.

14 **TITLE III—NEXT GENERATION 9–**  
 15 **1–1**

16 **SEC. 301. FURTHER DEPLOYMENT AND COORDINATION OF**  
 17 **NEXT GENERATION 9–1–1.**

18 (a) IN GENERAL.—Part C of the National Tele-  
 19 communications and Information Administration Organi-  
 20 zation Act is amended by adding at the end the following:

21 **“SEC. 159. COORDINATION OF NEXT GENERATION 9–1–1 IM-**  
 22 **PLEMENTATION.**

23 “(a) DUTIES OF ASSISTANT SECRETARY WITH RE-  
 24 SPECT TO NEXT GENERATION 9–1–1.—

1           “(1) IN GENERAL.—The Assistant Secretary  
2 shall—

3           “(A) take actions, in coordination with  
4 State point of contacts described under sub-  
5 section (c)(3)(A)(ii), to improve coordination  
6 and communication with respect to the imple-  
7 mentation of Next Generation 9–1–1;

8           “(B) develop, collect, and disseminate in-  
9 formation concerning the practices, procedures,  
10 and technology used in the implementation of  
11 Next Generation 9–1–1;

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

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

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

21           “(F) oversee the use of funds provided by  
22 such grants in fulfilling such implementation  
23 plans.

24           “(2) ANNUAL REPORTS.—Not later than Octo-  
25 ber 1, 2023, and each year thereafter until funds

1 made available to make grants under subsection (c)  
2 are no longer available to be expended, the Assistant  
3 Secretary shall submit to Congress a report on the  
4 activities conducted by the Assistant Secretary under  
5 paragraph (1) in the year preceding the submission  
6 of the report.

7 “(b) ADDITIONAL DUTIES.—

8 “(1) MANAGEMENT PLAN.—

9 “(A) DEVELOPMENT.—The Assistant Sec-  
10 retary shall develop a management plan for the  
11 grant program established under this section,  
12 including by developing—

13 “(i) plans related to the organiza-  
14 tional structure of such program; and

15 “(ii) funding profiles for each fiscal  
16 year of the duration of such program.

17 “(B) SUBMISSION TO CONGRESS.—Not  
18 later than 180 days after the date of the enact-  
19 ment of this section, the Assistant Secretary  
20 shall—

21 “(i) submit the management plan de-  
22 veloped under subparagraph (A) to—

23 “(I) the Committees on Com-  
24 merce, Science, and Transportation  
25 and Appropriations of the Senate; and

1                   “(II) the Committees on Energy  
2                   and Commerce and Appropriations of  
3                   the House of Representatives; and

4                   “(ii) publish the management plan de-  
5                   veloped under subparagraph (A) on the  
6                   website of the National Telecommuni-  
7                   cations and Information Administration.

8                   “(2) MODIFICATION OF PLAN.—

9                   “(A) MODIFICATION.—The Assistant Sec-  
10                  retary may modify the management plan devel-  
11                  oped under paragraph (1)(A).

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

15                  “(i) submit the modified plan to—

16                         “(I) the Committees on Com-  
17                         merce, Science, and Transportation  
18                         and Appropriations of the Senate; and

19                         “(II) the Committees on Energy  
20                         and Commerce and Appropriations of  
21                         the House of Representatives; and

22                         “(ii) publish the modified plan on the  
23                         website of the National Telecommuni-  
24                         cations and Information Administration.

1       “(c) NEXT GENERATION 9–1–1 IMPLEMENTATION  
2 GRANTS.—

3           “(1) GRANTS.—The Assistant Secretary shall  
4 provide grants to eligible entities for—

5           “(A) implementing Next Generation 9–1–  
6 1;

7           “(B) maintaining Next Generation 9–1–1;

8           “(C) training directly related to imple-  
9 menting, maintaining, and operating Next Gen-  
10 eration 9–1–1 if the cost related to the training  
11 does not exceed 3 percent of the total grant  
12 award;

13           “(D) public outreach and education on how  
14 the public can best use Next Generation 9–1–  
15 1 and the capabilities and usefulness of Next  
16 Generation 9–1–1;

17           “(E) administrative costs associated with  
18 planning of Next Generation 9–1–1, including  
19 any cost related to planning for and preparing  
20 an application and related materials as required  
21 by this subsection, if—

22           “(i) the cost is fully documented in  
23 materials submitted to the Assistant Sec-  
24 retary; and

1           “(ii) the cost is reasonable, necessary,  
2           and does not exceed 1 percent of the total  
3           grant award; and

4           “(F) costs associated with implementing  
5           cybersecurity measures at emergency commu-  
6           nications centers or with respect to Next Gen-  
7           eration 9–1–1.

8           “(2) APPLICATION.—In providing grants under  
9           paragraph (1), the Assistant Secretary shall require  
10          an eligible entity to submit to the Assistant Sec-  
11          retary an application, at the time and in the manner  
12          determined by the Assistant Secretary, and con-  
13          taining the certification required by paragraph (3).

14          “(3) COORDINATION REQUIRED.—Each eligible  
15          entity shall include in the application required by  
16          paragraph (2) a certification that—

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

19                         “(i) has coordinated the application  
20                         with the emergency communications cen-  
21                         ters located within the jurisdiction of the  
22                         entity;

23                         “(ii) has designated a single officer or  
24                         governmental body to serve as the State  
25                         point of contact to coordinate the imple-



1           mentation of Next Generation 9–1–1 for  
2           that State, except that such designation  
3           need not vest such officer or governmental  
4           body with direct legal authority to imple-  
5           ment Next Generation 9–1–1 or to manage  
6           emergency communications operations; and

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

10                   “(I) ensures interoperability by  
11                   requiring the use of commonly accept-  
12                   ed standards;

13                   “(II) ensures reliability;

14                   “(III) enables emergency commu-  
15                   nications centers to process, analyze,  
16                   and store multimedia, data, and other  
17                   information;

18                   “(IV) incorporates cybersecurity  
19                   tools, including intrusion detection  
20                   and prevention measures;

21                   “(V) includes strategies for co-  
22                   ordinating cybersecurity information  
23                   sharing between Federal, State, Trib-  
24                   al, and local government partners;

1           “(VI) uses open and competitive  
2 request for proposal processes, includ-  
3 ing through shared government pro-  
4 curement vehicles, for deployment of  
5 Next Generation 9–1–1;

6           “(VII) documents how input was  
7 received and accounted for from rel-  
8 evant rural and urban emergency  
9 communications centers, regional au-  
10 thorities, local authorities, and Tribal  
11 authorities;

12           “(VIII) includes a governance  
13 body or bodies, either by creation of  
14 new, or use of existing, body or bod-  
15 ies, for the development and deploy-  
16 ment of Next Generation 9–1–1  
17 that—

18           “(aa) ensures full notice and  
19 opportunity for participation by  
20 relevant stakeholders; and

21           “(bb) consults and coordi-  
22 nates with the State point of con-  
23 tact required by clause (ii);

24           “(IX) creates efficiencies related  
25 to Next Generation 9–1–1 functions,

1 including cybersecurity and the  
2 virtualization and sharing of infra-  
3 structure, equipment, and services;  
4 and

5 “(X) utilizes an effective, com-  
6 petitive approach to establishing au-  
7 thentication, credentialing, secure con-  
8 nections, and access in deploying Next  
9 Generation 9–1–1, including by—

10 “(aa) requiring certificate  
11 authorities to be capable of cross-  
12 certification with other authori-  
13 ties;

14 “(bb) avoiding risk of a sin-  
15 gle point of failure or vulner-  
16 ability; and

17 “(cc) adhering to Federal  
18 agency best practices such as  
19 those promulgated by the Na-  
20 tional Institute of Standards and  
21 Technology; and

22 “(B) in the case of an eligible entity that  
23 is a Tribal Organization, the Tribal Organiza-  
24 tion has complied with clauses (i) and (iii) of  
25 subparagraph (A).

1 “(4) CRITERIA.—

2 “(A) IN GENERAL.—Not later than 1 year  
3 after the date of the enactment of this section,  
4 the Assistant Secretary shall issue regulations,  
5 after providing the public with notice and an  
6 opportunity to comment, prescribing the criteria  
7 for selecting eligible entities for grants under  
8 this subsection.

9 “(B) REQUIREMENTS.—The criteria  
10 shall—

11 “(i) include performance requirements  
12 and a schedule for completion of any  
13 project to be financed by a grant under  
14 this subsection; and

15 “(ii) specifically permit regional or  
16 multi-State applications for funds.

17 “(C) UPDATES.—The Assistant Secretary  
18 shall update such regulations as necessary.

19 “(5) GRANT CERTIFICATIONS.—Each eligible  
20 entity shall certify to the Assistant Secretary at the  
21 time of application for a grant under this subsection,  
22 and each eligible entity that receives such a grant  
23 shall certify to the Assistant Secretary annually  
24 thereafter during any period of time the funds from  
25 the grant are available to the eligible entity, that—

1           “(A) beginning on the date that is 180  
2 days before the date on which the application is  
3 filed, no portion of any 9–1–1 fee or charge im-  
4 posed by the eligible entity (or in the case that  
5 the eligible entity is not a State or Tribal orga-  
6 nization, any State or taxing jurisdiction within  
7 which the eligible entity will carry out, or is  
8 carrying out, activities using grant funds) are  
9 obligated or expended for a purpose or function  
10 not designated under the rules issued pursuant  
11 to section 6(f)(3) of the Wireless Communica-  
12 tions and Public Safety Act of 1999 (47 U.S.C.  
13 615a–1(f)(3)) (as such rules are in effect on the  
14 date on which the eligible entity makes the cer-  
15 tification) as acceptable;

16           “(B) any funds received by the eligible en-  
17 tity will be used, consistent with paragraph (1),  
18 to support the deployment of Next Generation  
19 9–1–1 that ensures reliability and interoper-  
20 ability, by requiring the use of commonly ac-  
21 cepted standards;

22           “(C) the eligible entity (or in the case that  
23 the eligible entity is not a State or Tribal orga-  
24 nization, any State or taxing jurisdiction within  
25 which the eligible entity will carry out or is car-

1           rying out activities using grant funds) has es-  
2           tablished, or has committed to establish not  
3           later than 3 years following the date on which  
4           the grant funds are distributed to the eligible  
5           entity—

6                       “(i) a sustainable funding mechanism  
7                       for Next Generation 9–1–1; and

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

10                      “(D) the eligible entity will promote inter-  
11                      operability between emergency communications  
12                      centers deploying Next Generation 9–1–1 and  
13                      emergency response providers, including users  
14                      of the nationwide public safety broadband net-  
15                      work;

16                      “(E) the eligible entity has or will take  
17                      steps to coordinate with adjoining States and  
18                      Tribes to establish and maintain Next Genera-  
19                      tion 9–1–1; and

20                      “(F) the eligible entity has developed a  
21                      plan for public outreach and education on how  
22                      the public can best use Next Generation 9–1–  
23                      1 and on the capabilities and usefulness of Next  
24                      Generation 9–1–1.

1           “(6) CONDITION OF GRANT.—Each eligible en-  
2           tity shall agree, as a condition of receipt of a grant  
3           under this subsection, that if any State or taxing ju-  
4           risdiction within which the eligible entity will carry  
5           out activities using grant funds fails to comply with  
6           a certification required under paragraph (5), during  
7           any period of time during which the funds from the  
8           grant are available to the eligible entity, all of the  
9           funds from such grant shall be returned to the As-  
10          sistant Secretary.

11           “(7) PENALTY FOR PROVIDING FALSE INFOR-  
12          MATION.—Any eligible entity that provides a certifi-  
13          cation under paragraph (5) knowing that the infor-  
14          mation provided in the certification was false shall—

15                   “(A) not be eligible to receive the grant  
16                   under this subsection;

17                   “(B) return any grant awarded under this  
18                   subsection; and

19                   “(C) not be eligible to receive any subse-  
20                   quent grants under this subsection.

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

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

1           “(B) to make any payments to a person  
2           who has been, for reasons of national security,  
3           prohibited by any entity of the Federal Govern-  
4           ment from bidding on a contract, participating  
5           in an auction, or receiving a grant.

6           “(d) DEFINITIONS.—In this section and sections 160  
7 and 161:

8           “(1) 9–1–1 FEE OR CHARGE.—The term ‘9–1–  
9           1 fee or charge’ has the meaning given such term in  
10           section 6(f)(3)(D) of the Wireless Communications  
11           and Public Safety Act of 1999 (47 U.S.C. 615a–  
12           1(f)(3)(D)).

13           “(2) 9–1–1 REQUEST FOR EMERGENCY ASSIST-  
14           ANCE.—The term ‘9–1–1 request for emergency as-  
15           sistance’ means a communication, such as voice,  
16           text, picture, multimedia, or any other type of data  
17           that is sent to an emergency communications center  
18           for the purpose of requesting emergency assistance.

19           “(3) COMMONLY ACCEPTED STANDARDS.—The  
20           term ‘commonly accepted standards’ means the tech-  
21           nical standards followed by the communications in-  
22           dustry for network, device, and Internet Protocol  
23           connectivity that—

24                       “(A) enable interoperability; and

25                       “(B) are—



1 “(i) developed and approved by a  
2 standards development organization that is  
3 accredited by an American standards body  
4 (such as the American National Standards  
5 Institute) or an equivalent international  
6 standards body in a process—

7 “(I) that is open to the public,  
8 including open for participation by  
9 any person; and

10 “(II) provides for a conflict reso-  
11 lution process;

12 “(ii) subject to an open comment and  
13 input process before being finalized by the  
14 standards development organization;

15 “(iii) consensus-based; and

16 “(iv) made publicly available once ap-  
17 proved.

18 “(4) COST RELATED TO THE TRAINING.—The  
19 term ‘cost related to the training’ means—

20 “(A) actual wages incurred for travel and  
21 attendance, including any necessary overtime  
22 pay and backfill wage;

23 “(B) travel expenses;

24 “(C) instructor expenses; or

25 “(D) facility costs and training materials.

1           “(5) ELIGIBLE ENTITY.—The term ‘eligible en-  
2           tity’—

3           “(A) means—

4                   “(i) a State or a Tribal organization  
5                   (as defined in section 4(l) of the Indian  
6                   Self-Determination and Education Assist-  
7                   ance Act (25 U.S.C. 5304(l))); or

8                   “(ii) an entity, including a public au-  
9                   thority, board, or commission, established  
10                   by one or more entities described in clause  
11                   (i); and

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

15           “(6) EMERGENCY COMMUNICATIONS CENTER.—

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

18                   “(i) a facility that—

19                           “(I) is designated to receive a 9-  
20                           1-1 request for emergency assistance;  
21                           and

22                           “(II) performs one or more of the  
23                           functions described in subparagraph  
24                           (B); or

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

4           “(B) FUNCTIONS DESCRIBED.—The func-  
5           tions described in this subparagraph are the fol-  
6           lowing:

7           “(i) Processing and analyzing 9–1–1  
8           requests for emergency assistance and in-  
9           formation and data related to such re-  
10          quests.

11          “(ii) Dispatching appropriate emer-  
12          gency response providers.

13          “(iii) Transferring or exchanging 9–  
14          1–1 requests for emergency assistance and  
15          information and data related to such re-  
16          quests with one or more other emergency  
17          communications centers and emergency re-  
18          sponse providers.

19          “(iv) Analyzing any communications  
20          received from emergency response pro-  
21          viders.

22          “(v) Supporting incident command  
23          functions.

24          “(7) EMERGENCY RESPONSE PROVIDER.—The  
25          term ‘emergency response provider’ has the meaning

1 given that term under section 2 of the Homeland Se-  
2 curity Act of 2002 (6 U.S.C. 101).

3 “(8) FIRST RESPONDER NETWORK AUTHOR-  
4 ITY.—The term ‘First Responder Network Author-  
5 ity’ means the authority established under 6204 of  
6 the Middle Class Tax Relief and Job Creation Act  
7 of 2012 (47 U.S.C. 1424).

8 “(9) INTEROPERABILITY.—The term ‘interoper-  
9 ability’ means the capability of emergency commu-  
10 nications centers to receive 9–1–1 requests for emer-  
11 gency assistance and information and data related to  
12 such requests, such as location information and call-  
13 back numbers from a person initiating the request,  
14 then process and share the 9–1–1 requests for emer-  
15 gency assistance and information and data related to  
16 such requests with other emergency communications  
17 centers and emergency response providers without  
18 the need for proprietary interfaces and regardless of  
19 jurisdiction, equipment, device, software, service pro-  
20 vider, or other relevant factors.

21 “(10) NATIONWIDE PUBLIC SAFETY  
22 BROADBAND NETWORK.—The term ‘nationwide pub-  
23 lic safety broadband network’ has the meaning given  
24 the term in section 6001 of the Middle Class Tax

1 Relief and Job Creation Act of 2012 (47 U.S.C.  
2 1401).

3 “(11) NEXT GENERATION 9–1–1.—The term  
4 ‘Next Generation 9–1–1’ means an Internet Pro-  
5 tocol-based system that—

6 “(A) ensures interoperability;

7 “(B) is secure;

8 “(C) employs commonly accepted stand-  
9 ards;

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

13 “(E) acquires and integrates additional in-  
14 formation useful to handling 9–1–1 requests for  
15 emergency assistance; and

16 “(F) supports sharing information related  
17 to 9–1–1 requests for emergency assistance  
18 among emergency communications centers and  
19 emergency response providers.

20 “(12) RELIABILITY.—The term ‘reliability’  
21 means the employment of sufficient measures to en-  
22 sure the ongoing operation of Next Generation 9–1–  
23 1 including through the use of geo-diverse, device-  
24 and network-agnostic elements that provide more  
25 than one route between end points with no common

1 points where a single failure at that point would  
2 cause all to fail.

3 “(13) STATE.—The term ‘State’ means any  
4 State of the United States, the District of Columbia,  
5 Puerto Rico, American Samoa, Guam, the United  
6 States Virgin Islands, the Northern Mariana Is-  
7 lands, and any other territory or possession of the  
8 United States.

9 “(14) SUSTAINABLE FUNDING MECHANISM.—  
10 The term ‘sustainable funding mechanism’ means a  
11 funding mechanism that provides adequate revenues  
12 to cover ongoing expenses, including operations,  
13 maintenance, and upgrades.

14 **“SEC. 160. ESTABLISHMENT OF NATIONWIDE NEXT GEN-**  
15 **ERATION 9–1–1 CYBERSECURITY CENTER.**

16 “The Assistant Secretary shall establish a Next Gen-  
17 eration 9–1–1 Cybersecurity Center to coordinate with  
18 State, local, and regional governments on the sharing of  
19 cybersecurity information about, the analysis of cybersecu-  
20 rity threats to, and guidelines for strategies to detect and  
21 prevent cybersecurity intrusions relating to Next Genera-  
22 tion 9–1–1.

23 **“SEC. 161. NEXT GENERATION 9–1–1 ADVISORY BOARD.**

24 “(a) NEXT GENERATION 9–1–1 ADVISORY BOARD.—

1           “(1) ESTABLISHMENT.—The Assistant Sec-  
2           retary shall establish a ‘Public Safety Next Genera-  
3           tion 9–1–1 Advisory Board’ (in this section referred  
4           to as the ‘Board’) to provide recommendations to  
5           the Assistant Secretary—

6                   “(A) with respect to carrying out the du-  
7                   ties and responsibilities of the Assistant Sec-  
8                   retary in issuing the regulations required under  
9                   section 159(c);

10                   “(B) as required by paragraph (7); and

11                   “(C) upon request under paragraph (8).

12           “(2) MEMBERSHIP.—

13                   “(A) VOTING MEMBERS.—Not later than  
14                   150 days after the date of the enactment of this  
15                   section, the Assistant Secretary shall appoint  
16                   16 public safety members to the Board, of  
17                   which—

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

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

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

24                           “(iv) 4 members shall represent 9–1–  
25                           1 professionals.

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

7           “(C) EXPERTISE.—All members shall have  
8           specific expertise necessary for developing tech-  
9           nical requirements under this section, such as  
10          technical expertise, and expertise related to  
11          public safety communications and 9–1–1 serv-  
12          ices.

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

22          “(3) PERIOD OF APPOINTMENT.—

23                 “(A) IN GENERAL.—Except as provided in  
24                 subparagraph (B), members 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 Assistant Secretary.

4           “(4) VACANCIES.—Any vacancy in the Board  
5           shall be filled in the same manner as the original ap-  
6           pointment.

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 voting members of the  
12          Board.

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

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

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

23                 “(C) creating efficiencies related to Next  
24                 Generation 9–1–1, including cybersecurity and

1 the virtualization and sharing of core infra-  
2 structure;

3 “(D) enabling effective coordination among  
4 State, local, Tribal, and territorial government  
5 entities to ensure that the needs of emergency  
6 communications centers in both rural and  
7 urban areas are taken into account in each im-  
8 plementation plan required under section  
9 159(c)(3)(A)(iii); and

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

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

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

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

1 (b) PRESERVATION OF CERTAIN DEFINITIONS.—Sec-  
2 tion 158(d)(2) of the National Telecommunications and  
3 Information Administration Organization Act (47 U.S.C.  
4 942(d)(2)) is amended by striking “section” each place it  
5 appears and inserting “section (except for subsection  
6 (e))”.

## 7 TITLE IV—INCUMBENT 8 INFORMING CAPABILITY

### 9 SEC. 401. INCUMBENT INFORMING CAPABILITY.

10 Part B of the National Telecommunications and In-  
11 formation Administration Organization Act (47 U.S.C.  
12 921 et seq.) is amended by adding at the end the fol-  
13 lowing:

#### 14 “SEC. 120. INCUMBENT INFORMING CAPABILITY.

15 “(a) IN GENERAL.—The Assistant Secretary shall—

16 “(1) not later than 120 days after the date of  
17 the enactment of this section, begin to amend the  
18 Department of Commerce spectrum management  
19 document entitled ‘Manual of Regulations and Pro-  
20 cedures for Federal Radio Frequency Management’  
21 so as to incorporate an incumbent informing capa-  
22 bility; and

23 “(2) not later than the date on which the total  
24 amount of funds required to be made available from  
25 the Public Safety and Secure Networks Fund under

1 section 601(c)(3) of the Spectrum Innovation Act of  
2 2022 is so made available, begin to implement such  
3 capability, including the development and testing of  
4 such capability.

5 “(b) ESTABLISHMENT OF THE INCUMBENT INFORM-  
6 ING CAPABILITY.—

7 “(1) IN GENERAL.—The incumbent informing  
8 capability required by subsection (a) shall include a  
9 system to enable sharing, including time-based shar-  
10 ing and coordination, to securely manage harmful  
11 interference between non-Federal users and incum-  
12 bent Federal entities sharing a band of covered spec-  
13 trum and between Federal entities sharing a band of  
14 covered spectrum.

15 “(2) REQUIREMENTS.—The system required by  
16 paragraph (1) shall contain, at a minimum, the fol-  
17 lowing:

18 “(A) One or more mechanisms to allow  
19 non-Federal use in covered spectrum, as au-  
20 thorized by the rules of the Commission. Such  
21 mechanism or mechanisms shall include inter-  
22 faces to commercial sharing systems, as appro-  
23 priate.

1           “(B) One or more mechanisms to facilitate  
2           Federal-to-Federal sharing, as authorized by  
3           the NTIA.

4           “(C) One or more mechanisms to prevent,  
5           eliminate, or mitigate harmful interference to  
6           incumbent Federal entities, including one or  
7           more of the following functions:

8                   “(i) Sensing.

9                   “(ii) Identification.

10                  “(iii) Reporting.

11                  “(iv) Analysis.

12                  “(v) Resolution.

13           “(D) Dynamic coordination area analysis,  
14           definition, and control, if appropriate for a  
15           band.

16           “(3) COMPLIANCE WITH COMMISSION RULES.—  
17           The incumbent informing capability required by sub-  
18           section (a) shall ensure that use of covered spectrum  
19           is in accordance with the applicable rules of the  
20           Commission.

21           “(4) INPUT OF INFORMATION.—Each incum-  
22           bent Federal entity sharing a band of covered spec-  
23           trum shall—

24                   “(A) input into the system required by  
25           paragraph (1) such information as the Assist-

1           ant Secretary may require, including the fre-  
2           quency, time, and location of the use of the  
3           band by such Federal entity; and

4                   “(B) to the extent practicable, input such  
5           information into such system on an automated  
6           basis.

7           “(5) PROTECTION OF CLASSIFIED INFORMA-  
8           TION AND CONTROLLED UNCLASSIFIED INFORMA-  
9           TION.—The system required by paragraph (1) shall  
10          contain appropriate measures to protect classified  
11          information and controlled unclassified information,  
12          including any such classified information or con-  
13          trolled unclassified information that relates to mili-  
14          tary operations.

15          “(c) BRIEFING.—Not later than 1 year after the date  
16          on which the total amount of funds required to be made  
17          available from the Public Safety and Secure Networks  
18          Fund under section 601(c)(3) of the Spectrum Innovation  
19          Act of 2022 is so made available, the Assistant Secretary  
20          shall provide a briefing on the implementation of this sec-  
21          tion to the Committee on Energy and Commerce of the  
22          House of Representatives and the Committee on Com-  
23          merce, Science, and Transportation of the Senate.

24          “(d) DEFINITIONS.—In this section:

1           “(1) COVERED SPECTRUM.—The term ‘covered  
2 spectrum’ means—

3           “(A) electromagnetic spectrum for which  
4 usage rights are assigned to or authorized for  
5 (including before the date on which the incum-  
6 bent informing capability required by subsection  
7 (a) is implemented) a non-Federal user or class  
8 of non-Federal users for use on a shared basis  
9 with an incumbent Federal entity in accordance  
10 with the rules of the Commission; and

11           “(B) electromagnetic spectrum allocated  
12 on a primary or co-primary basis for Federal  
13 use that is shared among Federal entities.

14           “(2) FEDERAL ENTITY.—The term ‘Federal en-  
15 tity’ has the meaning given such term in section  
16 113(l).

17           “(3) INCUMBENT INFORMING CAPABILITY.—  
18 The term ‘incumbent informing capability’ means a  
19 capability to facilitate the sharing of covered spec-  
20 trum.

21           “(e) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion shall be construed to alter or expand the authority  
23 of the NTIA as described in section 113(j)(1).”.

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

3       **SEC. 501. EXTENSION OF FCC AUCTION AUTHORITY.**

4           (a) IN GENERAL.—Section 309(j)(11) of the Commu-  
5       nications Act of 1934 (47 U.S.C. 309(j)(11)) is amended  
6       by striking “September 30, 2022” and inserting “March  
7       31, 2024”.

8           (b) DEPOSIT OF PROCEEDS.—

9               (1) IN GENERAL.—Notwithstanding subpara-  
10       graphs (A), (C)(i), (D), and (G)(iii) of section  
11       309(j)(8) of the Communications Act of 1934 (47  
12       U.S.C. 309(j)(8)) and except as provided in sub-  
13       paragraph (B) of such section, the proceeds (includ-  
14       ing deposits and upfront payments from successful  
15       bidders) of any system of competitive bidding de-  
16       scribed in paragraph (2) (in this paragraph referred  
17       to as the “covered proceeds”) shall be deposited as  
18       follows:

19               (A) In the case of covered proceeds attrib-  
20       utable to eligible frequencies described in sub-  
21       section (g)(2) of section 113 of the National  
22       Telecommunications and Information Adminis-  
23       tration Organization Act (47 U.S.C. 923), such  
24       amount of such proceeds as is necessary to  
25       cover the relocation or sharing costs (as defined



1 in subsection (g)(3) of such section) of Federal  
2 entities (as defined in subsection (l) of such sec-  
3 tion) relocated from or sharing such eligible fre-  
4 quencies shall be deposited in the Spectrum Re-  
5 location Fund established under section 118 of  
6 such Act (47 U.S.C. 928). Any remainder of  
7 such proceeds shall be deposited in the Public  
8 Safety and Secure Networks Fund established  
9 by section 601 of this Act.

10 (B) In the case of covered proceeds attrib-  
11 utable to spectrum usage rights made available  
12 through an incentive auction under subpara-  
13 graph (G) of section 309(j)(8) of the Commu-  
14 nications Act of 1934 (47 U.S.C. 309(j)(8)),  
15 such amount of such proceeds as the Federal  
16 Communications Commission has agreed to  
17 share with licensees under such subparagraph  
18 shall be shared with such licensees. Any remain-  
19 der of such proceeds shall be deposited in the  
20 Public Safety and Secure Networks Fund es-  
21 tablished by section 601 of this Act.

22 (C) Any other covered proceeds shall be  
23 deposited in the Public Safety and Secure Net-  
24 works Fund established by section 601 of this  
25 Act.

1           (2) SYSTEM OF COMPETITIVE BIDDING DE-  
2        DESCRIBED.—A system of competitive bidding de-  
3        scribed in this paragraph is any system of competi-  
4        tive bidding under section 309(j) of the Communica-  
5        tions Act of 1934 (47 U.S.C. 309(j)) that is con-  
6        cluded during the period beginning on July 1, 2022,  
7        and ending on March 31, 2024, except for the sys-  
8        tem of competitive bidding required by section  
9        101(b)(3)(A) of this Act.

10        **TITLE VI—PUBLIC SAFETY AND**  
11        **SECURE NETWORKS FUND**

12        **SEC. 601. PUBLIC SAFETY AND SECURE NETWORKS FUND.**

13        (a) ESTABLISHMENT.—There is established in the  
14        Treasury of the United States a fund to be known as the  
15        “Public Safety and Secure Networks Fund” (in this sec-  
16        tion referred to as the “Fund”).

17        (b) ACCOUNTING FOR FEDERAL BUDGET BASE-  
18        LINE.—

19           (1) PROCEEDS OF AUCTION OF 2496–2690 MHZ  
20        BAND.—In the case of the proceeds of any system of  
21        competitive bidding under section 309(j) of the Com-  
22        munications Act of 1934 (47 U.S.C. 309(j)) with re-  
23        spect to the frequencies between 2496 megahertz  
24        and 2690 megahertz, inclusive, that are deposited in  
25        the Fund as required by section 501(b) of this Act,

1 the first \$1,800,000,000 of such proceeds shall be  
2 deposited in the general fund of the Treasury, where  
3 such amounts shall be dedicated for the sole purpose  
4 of deficit reduction. The remainder of such proceeds  
5 shall be available or deposited under subsection (c).

6 (2) PROCEEDS OF REQUIRED AUCTION OF 3.1–  
7 3.45 GHZ BAND.—In the case of the proceeds of the  
8 system of competitive bidding required by subpara-  
9 graph (A) of section 101(b)(3) that are deposited in  
10 the Fund as required by subparagraph (D) of such  
11 section, the first \$17,300,000,000 of such proceeds  
12 shall be deposited in the general fund of the Treas-  
13 ury, where such amounts shall be dedicated for the  
14 sole purpose of deficit reduction. The remainder of  
15 such proceeds shall be available or deposited under  
16 subsection (c).

17 (c) USE OF FUNDS.—Except as provided in sub-  
18 section (b), as amounts are deposited in the Fund, such  
19 amounts shall be available or deposited as follows:

20 (1) \$3,080,000,000 shall be available to the  
21 Federal Communications Commission until expended  
22 to carry out the program established under section  
23 4 of the Secure and Trusted Communications Net-  
24 works Act of 2019 (47 U.S.C. 1603).

1           (2) After the amount required to be made avail-  
2           able by paragraph (1) is so made available,  
3           \$10,000,000,000 shall be available to the Assistant  
4           Secretary of Commerce for Communications and In-  
5           formation until expended to carry out sections 159,  
6           160, and 161 of the National Telecommunications  
7           and Information Administration Organization Act,  
8           as added by section 301(a) of this Act, except that  
9           not more than 4 percent of the amount made avail-  
10          able by this paragraph may be used for administra-  
11          tive purposes (including carrying out such sections  
12          160 and 161).

13          (3) After the amount required to be made avail-  
14          able by paragraph (2) is so made available,  
15          \$117,400,000 shall be available to the Assistant Sec-  
16          retary of Commerce for Communications and Infor-  
17          mation until expended to carry out section 120 of  
18          the National Telecommunications and Information  
19          Administration Organization Act, as added by sec-  
20          tion 401 of this Act.

21          (4) After the amount required to be made avail-  
22          able by paragraph (3) is so made available, any re-  
23          maining amounts deposited in the Fund shall be de-  
24          posited in the general fund of the Treasury, where

1 such amounts shall be dedicated for the sole purpose  
2 of deficit reduction.

3 **TITLE VII—DETERMINATION OF**  
4 **BUDGETARY EFFECTS**

5 **SEC. 701. DETERMINATION OF BUDGETARY EFFECTS.**

6 The budgetary effects of this Act, for the purpose of  
7 complying with the Statutory Pay-As-You-Go Act of 2010,  
8 shall be determined by reference to the latest statement  
9 titled “Budgetary Effects of PAYGO Legislation” for this  
10 Act, submitted for printing in the Congressional Record  
11 by the Chairman of the House Budget Committee, pro-  
12 vided that such statement has been submitted prior to the  
13 vote on passage.

Passed the House of Representatives July 27, 2022.

Attest:

*Clerk.*

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **H. R. 7624**

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## **AN ACT**

To make available additional frequencies in the 3.1–3.45 GHz band for non-Federal use, shared Federal and non-Federal use, or a combination thereof, and for other purposes.