

114TH CONGRESS
1ST SESSION

S. 2227

To amend the National Telecommunications and Information Administration Organization Act to permit the National Telecommunications and Information Administration to authorize Federal agencies to accept certain payments related to spectrum efficiency and reallocation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2015

Mr. MANCHIN (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the National Telecommunications and Information Administration Organization Act to permit the National Telecommunications and Information Administration to authorize Federal agencies to accept certain payments related to spectrum efficiency and reallocation, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Private Spectrum Re-
5 location Funding Act of 2015”.

1 **SEC. 2. FUNDS RELATED TO SPECTRUM TRANSITIONS.**

2 Section 113 of the National Telecommunications and
3 Information Administration Organization Act (47 U.S.C.
4 923) is amended—

5 (1) by redesignating subsection (l) as subsection
6 (m); and

7 (2) by inserting after subsection (k) the fol-
8 lowing:

9 “(1) CERTAIN PAYMENTS RELATED TO SPECTRUM
10 TRANSITIONS.—

11 “(1) DEFINITIONS.—In this subsection—

12 “(A) the term ‘covered transition plan’
13 means a transition plan that has been—

14 “(i) submitted to the NTIA and the
15 Technical Panel under subsection (h);

16 “(ii) reviewed and deemed sufficient
17 by the Technical Panel under that sub-
18 section; and

19 “(iii) published as provided under that
20 subsection; and

21 “(B) the term ‘Technical Panel’ means the
22 Technical Panel established under subsection
23 (h)(3).

24 “(2) CERTAIN PAYMENTS PERMITTED.—Not-
25 withstanding section 1341, subchapter II of chapter
26 15, and section 3302 of title 31, United States

1 Code, a Federal entity may collect or receive any
2 money or other thing of value from a private entity
3 as payment or reimbursement to accelerate—

4 “(A) the implementation of a covered tran-
5 sition plan; or

6 “(B) commercial or other non-Federal use
7 of spectrum subject to a covered transition
8 plan.

9 “(3) CONDITIONS ON USE OF FUNDS.—A Fed-
10 eral entity may not collect or receive any money or
11 other thing of value under paragraph (2) unless—

12 “(A) the entity submits a proposal to the
13 NTIA describing—

14 “(i) the activities for which the entity
15 is to be paid or reimbursed; and

16 “(ii) the extent to which the activities
17 described in clause (i) are expected to ac-
18 celerate—

19 “(I) the implementation of a cov-
20 ered transition plan; or

21 “(II) commercial or other non-
22 Federal use of spectrum subject to a
23 covered transition plan; and

24 “(B) the Technical Panel approves the pro-
25 posal submitted under subparagraph (A)—

1 “(i) based on written findings of the
2 Technical Panel, made publicly available
3 on the website of the NTIA, that—

4 “(I) the funded activities are rea-
5 sonably likely to materially accelerate
6 the implementation of a covered tran-
7 sition plan or commercial or other
8 non-Federal use of spectrum subject
9 to a covered transition plan, as de-
10 scribed in the proposal; and

11 “(II) the Federal entity would be
12 unable to achieve the outcomes de-
13 scribed in subparagraph (A)(ii) with-
14 out the money or other thing of value
15 that the Federal entity proposes to
16 collect or receive; and

17 “(ii) which, when approved, shall be
18 considered an update to the covered transi-
19 tion plan of the Federal entity.”.

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