

116TH CONGRESS  
1ST SESSION

# S. 2921

To amend the Communications Act of 1934 to provide for an auction of C-Band spectrum, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2019

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Communications Act of 1934 to provide for an auction of C-Band spectrum, 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 “Clearing Broad Air-  
5 waves for New Deployment Act” or the “C-BAND Act”.

6 **SEC. 2. AUCTION OF C-BAND SPECTRUM.**

7 Title III of the Communications Act of 1934 (47  
8 U.S.C. 301 et seq.) is amended by adding at the end the  
9 following:

1                   **“PART V—C-BAND SPECTRUM**

2   **“SEC. 399L. AUCTION OF C-BAND SPECTRUM.**

3           “Not later than September 30, 2022, the Commission  
4 shall—

5                   “(1) clear and reallocate no less than 200  
6 megahertz and no more than 300 megahertz of con-  
7 tiguous C-Band spectrum (reserving 20 megahertz  
8 as guard band)—

9                           “(A) for the provision of broadband inter-  
10 net access service; and

11                           “(B) in such a way that ensures that C-  
12 Band-dependent users—

13                                   “(i) receive equal or better service as  
14 before the implementation of this section;  
15 and

16                                   “(ii) receive such service continuously  
17 throughout the transition process; and

18                   “(2) through a system of competitive bidding  
19 under section 309(j), assign licenses for the use of  
20 the spectrum reallocated under paragraph (1), ex-  
21 cept for the spectrum reserved as guard band.

22   **“SEC. 399M. TREATMENT OF REVENUES.**

23           “(a) DEPOSIT IN THE TREASURY.—Notwithstanding  
24 section 309(j)(8), the Commission shall deposit the total  
25 amount of proceeds from the auction conducted under sec-

1 tion 399L in the Treasury in accordance with chapter 33  
2 of title 31, United States Code.

3 “(b) RURAL BROADBAND INFRASTRUCTURE.—Of the  
4 total amount deposited in the Treasury under subsection  
5 (a), \$10,000,000,000 shall be made available to the Com-  
6 mission for the build out and maintenance of rural  
7 broadband infrastructure in unserved rural communities.

8 **“SEC. 399N. DEFINITIONS.**

9 “In this part:

10 “(1) C-BAND-DEPENDENT USER.—The term ‘C-  
11 Band-dependent user’ means a person who—

12 “(A) is a licensee or registrant of an earth  
13 station receiving signals over C-Band spectrum;

14 or

15 “(B) receives or distributes programming  
16 or services using C-Band spectrum.

17 “(2) C-BAND SPECTRUM.—The term ‘C-Band  
18 spectrum’ means electromagnetic spectrum between  
19 the frequencies of 3700 megahertz and 4200 mega-  
20 hertz, inclusive.

21 “(3) CLEAR.—The term ‘clear’ means, with re-  
22 spect to C-Band spectrum, to make such spectrum  
23 available for reallocation and the assignment of li-

- 1 censes through a system of competitive bidding (or
- 2 reservation as guard band) under section 399L.”.

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