

109TH CONGRESS
2ND SESSION

S. 2332

To amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and other areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2006

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

A BILL

To amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and other areas, 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 “American Broadband
5 for Communities Act”.

6 **SEC. 2. UNUSED TELEVISION SPECTRUM MADE AVAILABLE**
7 **FOR WIRELESS USE.**

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

1 **“SEC. 342. UNUSED BROADCAST TELEVISION SPECTRUM**
2 **MADE AVAILABLE FOR WIRELESS USE.**

3 “Any unused broadcast television spectrum in the
4 band between 72 and 698 megaHertz, inclusive, other
5 than spectrum in the band between 608 and 614 mega-
6 Hertz, inclusive, may be used by unlicensed devices, in-
7 cluding wireless broadband devices.”.

8 **SEC. 3. FCC TO FACILITATE USE.**

9 Within 180 days after the date of enactment of this
10 Act, the Federal Communications Commission shall—

11 (1) adopt minimal technical and device rules in
12 ET Docket Nos. 02–380 and 04–186 to facilitate
13 the robust and efficient use of the spectrum made
14 available under section 342 of the Communications
15 Act of 1934 (47 U.S.C. 342) by unlicensed devices,
16 including wireless broadband devices; and

17 (2) establish rules and procedures to—

18 (A) protect incumbent licensed services op-
19 erating pursuant to their licenses from harmful
20 interference from such unlicensed devices;

21 (B) address complaints from licensed
22 broadcast stations that an unlicensed device
23 using such spectrum causes harmful inter-
24 ference that include verification, in the field, of
25 actual harmful interference;

1 (C) require manufacturers of unlicensed
2 devices designed to be operated in this spectrum
3 to submit a plan to the Commission to remedy
4 actual harmful interference to the extent that
5 harmful interference is found by the Commis-
6 sion which may include disabling or modifying
7 the unlicensed device remotely; and

8 (D) require certification of unlicensed de-
9 vices designed to be operated in that spectrum
10 to ensure that they meet the technical criteria
11 established under paragraph (1) and can per-
12 form the functions described in subparagraph
13 (C).

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