

107TH CONGRESS  
1ST SESSION

# S. 696

To prohibit the Federal Communications Commission from applying spectrum aggregation limits to spectrum assigned by auction after 2000.

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IN THE SENATE OF THE UNITED STATES

APRIL 4, 2001

Mr. BROWNBACK 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 prohibit the Federal Communications Commission from applying spectrum aggregation limits to spectrum assigned by auction after 2000.

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 “Third-Generation  
5       Wireless Internet Act.”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8               (1) Mobile telephony has been one of the fastest  
9       growing industries of the telecommunications sector,

1 offering consumers innovative services at affordable  
2 rates.

3 (2) Demand for mobile telecommunications  
4 services has greatly exceeded industry expectations.

5 (3) Mobile carriers are poised to bring high-  
6 speed Internet access to consumers through wireless  
7 telecommunications devices.

8 (4) Third Generation mobile systems (herein-  
9 after referred to as “3G”) are capable of delivering  
10 high-speed data services for Internet access and  
11 other multimedia applications.

12 (5) Advanced wireless services such as 3G may  
13 be the most efficient and economic way to provide  
14 high-speed Internet access to rural areas of the  
15 United States.

16 (6) Under the current Federal Communications  
17 Commission rules, commercial mobile service pro-  
18 viders may not use more than 45 megahertz of com-  
19 bined cellular, broadband Personal Communications  
20 Service, and Specialized Mobile Radio spectrum  
21 within any geographic area.

22 (7) Assignments of additional spectrum may be  
23 needed to enable mobile operators to keep pace with  
24 the demand for 3G services.

1           (8) The application of the current Commission  
 2           spectrum cap rules to new spectrum auctioned by  
 3           the FCC would greatly impede the deployment of 3G  
 4           services.

5   **SEC. 3. WIRELESS TELECOMMUNICATIONS SERVICES.**

6           Section 332(c) of the Communications Act of 1934  
 7           (47 U.S.C. 332(c)) is amended by adding at the end there-  
 8           of the following:

9           “(9) NON-APPLICATION OF SPECTRUM AGGRE-  
 10          GATION LIMITS TO NEW AUCTIONS.—

11           “(A) The Commission may not apply sec-  
 12           tion 20.6(a) of its regulations (47 C.F.R.  
 13           20.6(a)) to a license for spectrum assigned by  
 14           initial auction held after December 31, 2000.

15           “(B) The Commission may relax or elimi-  
 16           nate the spectrum aggregation limits of section  
 17           20.6 of its regulations (47 C.F.R. 20.6), but  
 18           may not lower these limits.”.

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