

110TH CONGRESS  
1ST SESSION

# H. R. 1597

To require the FCC to issue a final order regarding television white spaces.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2007

Mr. INSLEE (for himself, Mr. DEAL of Georgia, Ms. BALDWIN, Mrs. BLACKBURN, Mr. ROGERS of Michigan, Mr. BOUCHER, and Mr. GILLMOR) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the FCC to issue a final order regarding television white spaces.

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 “Wireless Innovation  
5 Act of 2007”.

6 **SEC. 2. WHITE SPACES.**

7 (a) ADOPTION OF FINAL ORDER.—Not later than the  
8 earlier of 180 days after the date of enactment of this  
9 Act or October 1, 2007, the Federal Communications  
10 Commission (in this Act referred to as the “Commission”)

1 shall complete its proceeding and issue a final order in  
2 the Matter of Unlicensed Operation in the TV Broadcast  
3 Bands, ET Docket No. 04–186, which facilitates the effi-  
4 cient operation of unlicensed devices in television white  
5 spaces.

6 (b) CONDITIONS.—In completing the requirement de-  
7 scribed in subsection (a), the Commission in such final  
8 order—

9 (1) shall permit unlicensed, non-exclusive use of  
10 eligible frequencies between 54 MHz and 698  
11 MHz—

12 (A) at the earliest technically feasible date,  
13 but not later than February 18, 2009; and

14 (B) in compliance with the conditions de-  
15 scribed in paragraphs (2) through (4);

16 (2) shall establish technical requirements for  
17 unlicensed devices operating in such eligible fre-  
18 quencies to protect incumbent licensees of such fre-  
19 quencies from harmful interference from such de-  
20 vices;

21 (3) shall require unlicensed devices operating in  
22 such eligible frequencies to comply with existing  
23 Commission certification processes for new devices,  
24 including the initial acceptance of applications for  
25 certification of unlicensed devices not later than De-

1 cember 1, 2007, with a maximum of 180 days for  
2 the Commission to review and dispense of each prop-  
3 erly submitted and completed application;

4 (4) may conduct interference testing as the  
5 Commission deems necessary for the purpose of eval-  
6 uating the potential for actual harmful interference  
7 to incumbent licensees of such frequencies; and

8 (5) shall permit the operation of both fixed and  
9 personal/portable unlicensed devices at the earliest  
10 technically feasible date, but not later than February  
11 18, 2009.

12 (c) DEFINITION OF UNLICENSED DEVICE.—In this  
13 Act, the term “unlicensed device” means both fixed/access  
14 and personal/portable devices, as such terms are defined  
15 in paragraph 19 of the Federal Communications Commis-  
16 sion’s Notice of Proposed Rulemaking in the Matter of  
17 Unlicensed Operation in the TV Broadcast Bands, ET  
18 Docket No. 04–186, adopted May 13, 2004 (FCC 04–  
19 113).

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