

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.

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

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-

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

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

“SEC. 399N. DEFINITIONS.

“In this part:

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

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

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

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

“(3) CLEAR.—The term ‘clear’ means, with re-
spect to C-Band spectrum, to make such spectrum
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.”.

