

creased availability of advanced telecommunications services in a rural area.

(Pub. L. 115–141, div. P, title VI, §616, Mar. 23, 2018, 132 Stat. 1110.)

§ 1507. Unlicensed spectrum policy

(a) Statement of policy

It is the policy of the United States—

(1) to maximize the benefit to the people of the United States of the spectrum resources of the United States;

(2) to advance innovation and investment in wireless broadband services; and

(3) to promote spectrum policy that makes available on an unlicensed basis radio frequency bands to address consumer demand for unlicensed wireless broadband operations.

(b) Commission responsibilities

The Commission shall ensure that the efforts of the Commission related to spectrum allocation and assignment made available on an unlicensed basis radio frequency bands to address demand for unlicensed wireless broadband operations if doing so is, after taking into account the future needs of homeland security, national security, and other spectrum users—

(1) reasonable; and

(2) in the public interest.

(c) Rule of construction

Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.

(Pub. L. 115–141, div. P, title VI, §617, Mar. 23, 2018, 132 Stat. 1112.)

§ 1508. National plan for unlicensed spectrum

(a) Definitions

In this section:

(1) Spectrum Relocation Fund

The term “Spectrum Relocation Fund” means the Fund established under section 928 of this title.

(2) Unlicensed or licensed by rule operations

The term “unlicensed or licensed by rule operations” means the use of spectrum on a non-exclusive basis under—

(A) part 15 of title 47, Code of Federal Regulations; or

(B) licensing by rule under part 96 of title 47, Code of Federal Regulations.

(b) National plan

Not later than 18 months after March 23, 2018, the Commission, in consultation with the NTIA, shall develop a national plan for making additional radio frequency bands available for unlicensed or licensed by rule operations.

(c) Requirements

The plan developed under this section shall—

(1) identify an approach that ensures that consumers have access to additional spectrum to conduct unlicensed or licensed by rule operations in a range of radio frequencies to meet consumer demand;

(2) recommend specific actions by the Commission and the NTIA to permit unlicensed or licensed by rule operations in additional radio frequency ranges that the Commission finds—

(A) are consistent with the statement of policy under section 1507(a) of this title;

(B) will—

(i) expand opportunities for unlicensed or licensed by rule operations in a spectrum band; or

(ii) otherwise improve spectrum utilization and intensity of use of bands where unlicensed or licensed by rule operations are already permitted;

(C) will not cause harmful interference to Federal or non-Federal users of such bands; and

(D) will not significantly impact homeland security or national security communications systems; and

(3) examine additional ways, with respect to existing and planned databases or spectrum access systems designed to promote spectrum sharing and access to spectrum for unlicensed or licensed by rule operations—

(A) to improve accuracy and efficacy;

(B) to reduce burdens on consumers, manufacturers, and service providers; and

(C) to protect sensitive Government information.

(d) Spectrum Relocation Fund

To be included as an appendix as part of the plan developed under this section, the NTIA, in consultation with the Director of the Office of Management and Budget, shall share with the Commission recommendations about how to reform the Spectrum Relocation Fund—

(1) to address costs incurred by Federal entities related to sharing radio frequency bands with radio technologies conducting unlicensed or licensed by rule operations; and

(2) to ensure the Spectrum Relocation Fund has sufficient funds to cover—

(A) the costs described in paragraph (1); and

(B) other expenditures allowed of the Spectrum Relocation Fund under section 928 of this title.

(e) Report required

(1) In general

Not later than 18 months after March 23, 2018, the Commission shall submit to the appropriate committees of Congress a report that describes the plan developed under this section, including any recommendations for legislative change.

(2) Publication on commission website

Not later than the date on which the Commission submits the report under paragraph (1), the Commission shall make the report publicly available on the website of the Commission.

(f) Rule of construction

Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.