

## HR 5252

Communications Act of 2006

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Science, Technology, Communications

**Introduced:** May 1, 2006

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 652.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 652. (Sep 29, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/5252>

### Sponsor

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**Name:** Rep. Barton, Joe [R-TX-6]

**Party:** Republican • **State:** TX • **Chamber:** House

**Cosponsors** (55 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Blackburn, Marsha [R-TN-7]	R · TN		May 1, 2006
Rep. Burgess, Michael C. [R-TX-26]	R · TX		May 1, 2006
Rep. Buyer, Steve [R-IN-4]	R · IN		May 1, 2006
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		May 1, 2006
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		May 1, 2006
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		May 1, 2006
Rep. Norwood, Charles W. [R-GA-9]	R · GA		May 1, 2006
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		May 1, 2006
Rep. Radanovich, George [R-CA-19]	R · CA		May 1, 2006
Rep. Rogers, Mike J. [R-MI-8]	R · MI		May 1, 2006
Rep. Rush, Bobby L. [D-IL-1]	D · IL		May 1, 2006
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		May 1, 2006
Rep. Shimkus, John [R-IL-19]	R · IL		May 1, 2006
Rep. Stearns, Cliff [R-FL-6]	R · FL		May 1, 2006
Rep. Upton, Fred [R-MI-6]	R · MI		May 1, 2006
Rep. Whitfield, Ed [R-KY-1]	R · KY		May 1, 2006
Rep. Bass, Charles F. [R-NH-2]	R · NH		May 2, 2006
Rep. Bono, Mary [R-CA-45]	R · CA		May 2, 2006
Rep. Butterfield, G. K. [D-NC-1]	D · NC		May 2, 2006
Rep. Fossella, Vito [R-NY-13]	R · NY		May 2, 2006
Rep. Hall, Ralph M. [R-TX-4]	R · TX		May 2, 2006
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		May 2, 2006
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		May 2, 2006
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		May 2, 2006
Rep. Scott, David [D-GA-13]	D · GA		May 3, 2006
Rep. Alexander, Rodney [R-LA-5]	R · LA		May 9, 2006
Rep. Baker, Richard H. [R-LA-6]	R · LA		May 9, 2006
Rep. Bonner, Jo [R-AL-1]	R · AL		May 9, 2006
Rep. Boyd, Allen [D-FL-2]	D · FL		May 9, 2006
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		May 9, 2006
Rep. Clyburn, James E. [D-SC-6]	D · SC		May 9, 2006
Rep. Crowley, Joseph [D-NY-7]	D · NY		May 9, 2006
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		May 9, 2006
Rep. Jefferson, William J. [D-LA-2]	D · LA		May 9, 2006
Rep. Lewis, Ron [R-KY-2]	R · KY		May 9, 2006
Rep. Oxley, Michael G. [R-OH-4]	R · OH		May 9, 2006
Rep. Wilson, Joe [R-SC-2]	R · SC		May 9, 2006
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		May 11, 2006
Rep. Diaz-Balart, Mario [R-FL-25]	R · FL		May 11, 2006
Rep. Everett, Terry [R-AL-2]	R · AL		May 11, 2006
Rep. Feeney, Tom [R-FL-24]	R · FL		May 11, 2006

Cosponsor	Party / State	Role	Date Joined
Rep. Foley, Mark [R-FL-16]	R · FL		May 11, 2006
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		May 11, 2006
Rep. Meek, Kendrick B. [D-FL-17]	D · FL		May 11, 2006
Rep. Miller, Jeff [R-FL-1]	R · FL		May 11, 2006
Rep. Rogers, Mike D. [R-AL-3]	R · AL		May 11, 2006
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		May 11, 2006
Rep. Wexler, Robert [D-FL-19]	D · FL		May 11, 2006
Rep. Wicker, Roger F. [R-MS-1]	R · MS		May 11, 2006
Rep. Baca, Joe [D-CA-43]	D · CA		May 17, 2006
Rep. Barrow, John [D-GA-12]	D · GA		May 17, 2006
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		May 17, 2006
Rep. Davis, Lincoln [D-TN-4]	D · TN		May 17, 2006
Rep. Hayes, Robin [R-NC-8]	R · NC		May 17, 2006
Rep. Mack, Connie [R-FL-14]	R · FL		May 17, 2006

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Sep 30, 2006
Energy and Commerce Committee	House	Reported By	Jun 7, 2006

### Subjects & Policy Tags

#### Policy Area:

Science, Technology, Communications

### Related Bills

Bill	Relationship	Last Action
109 S 2686	Related bill	<b>Jun 13, 2006:</b> Committee on Commerce, Science, and Transportation. Hearings held. Hearings printed: S.Hrg. 109-1128, pt. 3.
109 HRES 850	Procedurally related	<b>Jun 8, 2006:</b> Motion to reconsider laid on the table Agreed to without objection.

Advanced Telecommunications and Opportunities Reform Act or the Communications Act of 2006 - **Title I: War on Terrorism - Subtitle A: Call Home** - (Sec. 101) Directs the Federal Communications Commission (FCC) to reduce the cost of calling home for U.S. military personnel stationed outside the United States in support of military operations, training exercises, or other approved purposes. Repeals provisions of the Telecommunications Authorization Act of 1992 that are similar but applicable only to specified countries.

**Subtitle B: Interoperability** - (Sec. 151) Amends the Digital Television Transition and Public Safety Act of 2005 to direct the Secretary of Homeland Security to allocate a portion of the funds available under such Act for: (1) interoperable communications system equipment grants for equipment that can use, or enable interoperability with systems or networks that can use, reallocated public safety spectrum; (2) interoperable emergency communications coordination, planning, and training grants; and (3) establishing a strategic technology reserve to preposition or secure interoperable communications systems for immediate deployment in an emergency or major disaster, including using prenegotiated contracts for rapid deployment rather than warehousing.

Requires the FCC to report to Congress on the technical feasibility of creating a back-up emergency communications system providing a framework for development of a resilient interoperable communications system for emergency responders in an emergency.

Directs the Secretary to reserve a portion of funds under the Digital Television Transition and Public Safety Act of 2005 to provide grants for projects to public safety answering points that enable interoperability and that advance E-911 deployment.

(Sec. 152) Amends the Digital Television Transition and Public Safety Act of 2005 to substitute references to the Secretary of Homeland Security for references to the Assistant Secretary for Communications and Information of the Department of Commerce in provisions relating to grants for public safety interoperable communications.

(Sec. 153) Directs the Secretary of Homeland Security to award at least \$1 billion for public safety interoperable communications grants by September 30, 2006.

(Sec. 154) Amends the National Telecommunications and Information Administration Organization Act to direct the Assistant Secretary for Communications and Information and the Administrator of the National Highway Traffic Safety Administration to facilitate coordination and communication between specified groups regarding the migration to an IP-enabled emergency network that provides E-911 services.

**Title II: Universal Service Reform; Interconnection** - Internet and Universal Service Act of 2006 - **Subtitle A: Contributions to Universal Service** - (Sec. 201) Amends the Communications Act of 1934 to require each communications service provider to contribute to support universal service (the provision of communications service in rural, insular, and high-cost areas), subject to specified exemptions.

(Sec. 212) Modifies requirements regarding interconnection and rural telephone companies.

(Sec. 213) Imposes on facilities-based IP-enabled voice service providers the same rights, duties, and obligations as a requesting telecommunications carrier if the provider elects to assert those rights. Prohibits a carrier from refusing to transport or terminate IP-enabled voice traffic solely because it is IP-enabled and prohibits a provider originating, transmitting, or terminating IP-enabled voice traffic from being exempted from paying compensation for interstate traffic

solely because the traffic is IP-enabled. Regulates IP-enabled voice service regarding: (1) accessibility for the disabled community; and (2) alarm or security systems or personal security or medical monitoring systems.

(Sec. 214) Applies universal service provisions to any services under FCC jurisdiction that can effectively substitute for interexchange telecommunications services, including any such substitute classified as an information service that uses telecommunications.

**Subtitle B: Distributions From Universal Service** - (Sec. 251) Requires biennial reports from eligible communications carriers concerning households offered and subscribing to broadband service in each of its service areas, as well as service plans and technologies.

(Sec. 252) Establishes the Broadband for Unserved Areas Program to provide financial assistance for the deployment of broadband equipment and infrastructure to unserved areas throughout the United States.

(Sec. 253) Declares that universal service support mechanisms and rules should be competitively neutral in terms of providers and technologies.

(Sec. 255) Imposes additional requirements in order for a telecommunications carrier, after enactment of this title, to be eligible to receive universal service support.

(Sec. 256) Prohibits the FCC from limiting the distribution and use of federal universal service support to a single connection or primary line. Makes all residential and business lines served by an eligible communications carrier eligible for such support.

(Sec. 257) Requires telecommunications and IP-enabled voice service providers to ensure, as technically possible, that all traffic contains or preserves identification information.

(Sec. 258) Mandates remedial action as the FCC deems necessary, including fines, for improper use of universal service support.

(Sec. 259) Makes a vendor that has been convicted of criminal fraud connected to specified portions of universal service provisions ineligible to provide goods or services to any entity under those portions.

(Sec. 260) Requires a telecommunications carrier to provide services, including infrastructure deployment, to rural health care providers at rates comparable to urban rates.

(Sec. 261) Makes certain entities ineligible for preferential rates or treatment, including for-profit businesses, schools with endowments over a specified level, and some libraries.

(Sec. 262) Mandates a predictable and sufficient support mechanism for eligible carriers in insular areas.

**Title III: Streamlining the Franchising Process** - Video Competition and Savings for Consumers Act of 2006 - **Subtitle A: Updating the 1934 Act and Leveling the Regulatory Playing Field** - (Sec. 312) Requires a franchising authority to grant a franchise to provide video service to a video service provider within a specified time after receiving a complete application, subject to exception, and deems the application granted if the time limit is exceeded.

Prohibits state and local governments from regulating direct broadcast satellite services, except for taxation of direct-to-home service.

(Sec. 313) Requires the FCC to promulgate a standard franchise application form and regulates the form's contents.

(Sec. 315) Requires multichannel video programming distributors to report annually to the FCC regarding family tiers.

**Subtitle B: Streamlining the Provision of Video Services** - (Sec. 331) Prohibits awarding an exclusive franchise and requires franchises to be between five and 15 years long. Requires state and local laws to be reasonable, competitively neutral, nondiscriminatory, and consistent with police powers. Requires any permitting fees to be for compensating the government for managing public rights-of-way. Requires franchises to be constructed over public rights-of-way and through easements. Regulates the fee charged by the franchising authority to the video service provider.

Allows requiring a provider to pay a fee to support public, educational, and governmental (PEG) access facilities and institutional networks.

(Sec. 332) Provides for renewal and revocation of franchises.

(Sec. 333) Requires providers to provide a specified level of PEG use channels.

(Sec. 335) Removes provisions regulating compensation to an operator when a franchise renewal is denied or revoked.

Prohibits a video service programming vendor in which a provider has an attributable interest from denying a provider with a franchise access to programming solely because that provider uses a shared headend.

(Sec. 336) Removes provisions authorizing a franchising authority to establish operators' customer service and construction-related requirements.

Makes it unlawful for a video service provider to charge a subscriber more than one month's subscription fee for terminating a subscription before it ends.

(Sec. 337) Prohibits a provider from denying video service access to any group of residential subscribers because of income, race, or religion.

(Sec. 339) Amends provisions relating to: (1) unauthorized publication or use of communications to add a reference to video service providers; (2) syndicated exclusivity to add a reference to video service; and (3) the Telecommunications Development Fund to add a reference to video service.

(Sec. 340) Amends provisions of the Children's Television Act of 1990 relating to standards for children's television programming to add a reference to video service providers.

**Subtitle C: Miscellaneous and Conforming Amendments** - (Sec. 351) Amends the Communications Act of 1934 to remove provisions prohibiting construing the Act to require a local or municipal authority that is, or is affiliated with, a franchising authority to secure a franchise to operate as a multichannel video programming distributor.

Extends until October 5, 2012, the expiration date of provisions prohibiting exclusive contracts for satellite cable programming or satellite broadcast programming.

Exempts operators holding any combination of legally-held interests as of the date of enactment of title III of this Act from existing provisions relating to ownership restrictions. (Current law exempts such owners' interests as of July 1, 1984.)

Removes provisions making it unlawful for a cable operator to hold a license for multichannel multipoint distribution service, or to offer satellite master antenna television service separate and apart from any franchised cable service, in

any portion of the franchise area served by the operator's cable system.

Removes provisions: (1) requiring a franchising authority to make a final decision on a sale or transfer request within 120 days of the request; (2) relating to coordination of federal, state, and local authority; and (3) continuing in effect any franchises in effect on October 30, 1984.

Declares that, notwithstanding any other provision of law, IP-enabled video service is an interstate service and is subject only to federal regulations.

Removes from Broadcast spectrum flexibility provisions a prohibition on deeming ancillary or supplementary service to be a multichannel video programming distributor for purposes of provisions relating to development of competition and diversity in video programming distribution.

**Subtitle D: Effective Dates and Transition Rules -** (Sec. 381) Provides for effective dates and transition rules.

**Title IV: Video Content - Subtitle A: National Satellite -** (Sec. 401) Requires satellite carriers, as technically feasible, to provide a comparable consumer product to Alaskan and Hawaiian subscribers at prices and terms comparable to those made in the contiguous United States. Requires that services to Alaska and Hawaii be a condition in the granting of new satellite licenses.

**Subtitle B: Video and Audio Flag -** Digital Content Protection Act of 2006 - (Sec. 452) Authorizes the FCC to adopt regulations and certifications as necessary to implement a specified Report and Order with the exclusive purpose of limiting the indiscriminate redistribution of digital television content over the Internet or similar platforms. Requires the FCC to initiate an expedited further proceeding for the approval of digital output protection technologies and recording methods for distance learning activities. Prohibits broadcast station licensees from using the Redistribution Control Descriptor to limit the redistribution of news and public affairs programming that depends on timeliness for its primary commercial value. Allows each broadcaster or network to determine whether this applies to a particular program.

(Sec. 453) Permits regulations governing the distribution of audio content with respect to digital audio broadcasting. Requires that a performing rights society or a mechanical rights organization be granted a license for free or for a de minimis fee for monitoring the public performance or other uses of copyrighted works and reasonable methods are employed to prevent further distribution.

(Sec. 454) Establishes the Digital Audio Review Board to submit to the FCC a proposed regulation allowing a certified unlicensed device to use specified broadcast television frequencies in a way that protects licensees from harmful interference.

**Title V: Municipal Broadband -** Community Broadband Act - (Sec. 502) Amends the Telecommunications Act of 1996 to prohibit any state legal requirement from prohibiting any entity from providing advanced telecommunications capability. Prohibits the requirements of any public provider (a state or its subdivision, an Indian tribe, or related entities) from discriminating in favor of itself or any other advanced telecommunications capability provider it owns or is affiliated with. Requires a public provider that decides not to provide such capability through a public-private partnership to publish public notice and allow commercial enterprises an opportunity to provide that capability. Prohibits the use of federal funds to assist a public provider in maintaining, reviving, or renewing a failed project.

**Title VI: Wireless Innovation Networks -** Wireless Innovation Act of 2006 - WIN Act of 2006 - (Sec. 602) Amends the Communications Act of 1934 to allow a certified unlicensed device to use specified broadcast television frequencies in a

way that protects licensees from harmful interference.

**Title VII: Digital Television** - (Sec. 701) Requires manufacturers and certain retailers of analog only televisions to inform consumers that converter boxes will be necessary after February 17, 2009.

Requires analog and digital televisions with screens at least 13 inches in size to be able to block display of all programs with a common rating.

Mandates specified activities to educate consumers about the digital television transition. Establishes the DTV Working Group to consult with state and local governments and the National Telecommunications and Information Administration to promote consumer outreach and provide logistical assistance on a market-by-market basis to consumers with special needs, including the converter box subsidy program.

Makes it unlawful, after a specified date, to import into the United States or ship in interstate commerce for sale to the public a television that cannot receive and decode digital signals.

Requires establishing converter box energy standards.

Amends the Digital Television Transition and Public Safety Act of 2005 to allow boxes to contain a clock and other incidental features.

Amends the Communications Act of 1934 to require cable operators to carry digital signals in the digital format transmitted by a station that is transmitting only digital signals. Allows operators to offer such signals in additional formats.

Requires an operator to carry, in its basic tier, any analog and digital video signals (currently, any signal) of any television broadcast station that the operator provides to any subscriber.

Requires satellite carriers that are carrying the digital signals of any other television broadcast station to carry the primary video and program-related material for a station broadcasting exclusively digitally in the local market. Requires that the signal be carried in the format transmitted by the station if the carrier carries the signal of any other broadcast in that local market in that format. Allows additional formats.

(Sec. 702) Authorizes and ratifies by law the FCC's rules regarding video description (for people with visual impairments) in a specified Report and Order, notwithstanding the decision of the United States Court of Appeals for the District of Columbia Circuit in *Motion Picture Association of America, Inc., et al., v. Federal Communications Commission, et al.*

(Sec. 703) Requires an annual FCC report to specified congressional committees on international coordination with Canada and Mexico of the DTV table of allotments.

(Sec. 704) Allows certain Spanish-only analog broadcast television stations near the Mexican border to renew their analog licenses through February 17, 2011, if certain conditions are met.

**Title VIII: Protecting Children** - (Sec. 801) Requires regulations that prevent video services from offering child pornography.

(Sec. 802) Amends the Crime Control Act of 1990 to triple the fines on providers of electronic communication services or remote computing services who knowingly and willfully fail to report child pornography.

Makes it unlawful for a commercial website to contain sexually explicit material unless the first page of the website does not include any such material and each page that does contain such material also displays marks or notices prescribed by the Federal Trade Commission (FTC) to inform people who access the website and to facilitate filtering.

Amends the federal criminal code to make it unlawful to knowingly embed material in the source code of a website with the intent to deceive: (1) another person into viewing obscene material; or (2) a minor into viewing material that is harmful to minors.

Revises provisions allowing victims of certain sex-related crimes to seek civil remedies to: (1) allow adults as well as minors to sue for injuries; and (2) increase from \$50,000 to \$150,000 the minimum level of damages.

(Sec. 803) Requires each provider of cable or over-the-air broadcast programming to prevent interactivity with commercial matter during any children's programming and during advertisements during or adjacent to such programs.

(Sec. 804) Mandates a study of commercial proposals to broadcast radio or television programs for reception onboard public school buses.

**Title IX: Internet Consumer Bill of Rights Act** - Internet Consumer Bill of Rights Act of 2006 - (Sec. 903) Requires Internet service providers (ISPs) to allow each subscriber to: (1) access and post any lawful content and any web page; (2) access and run any application, software, or service; (3) connect any legal device (if the device does not harm the ISP's network); and (4) receive clear information, in plain language, about estimated speeds, capabilities, limitations, and pricing.

(Sec. 904) Prohibits (consistent with the First Amendment to the U.S. Constitution, as applied to the states through the Fourteenth Amendment to the U.S. Constitution) federal, state, and local governments and ISPs from regulating Internet content based on the views expressed, unless specifically authorized by law.

(Sec. 905) Requires ISPs to offer any potential subscriber any Internet service the provider offers without requiring the subscriber to purchase any other service offered by the ISP.

(Sec. 906) Allows ISPs to take certain actions, including providing consumers with parental control applications, devices, or services, offering a family friendly tier, and blocking content, applications, or services at the request of a subscriber.

(Sec. 907) Requires the FCC to establish an adjudicatory enforcement procedure for this title. Subjects violators to FCC enforcement under specified provisions of the Communications Act of 1934, including provisions authorizing forfeiture of up to \$500,000 for each violation. Authorizes equitable relief. Prohibits the FCC from promulgating any regulations (other than those specified in this section) to implement this title.

(Sec. 911) Requires the FCC to biennially revise its definition of broadband to reflect data rates generally available to the public.

(Sec. 912) Requires ISPs to prioritize, as technically feasible, 911 and E-911 communications to ensure timely and effective emergency communications in a way that is consistent with other priority levels needed in emergencies and for other public safety and homeland security needs or requirements.

**Title X: Miscellaneous** - (Sec. 1001) Amends the Communications Act of 1934 to authorize the FCC to conduct closed meetings if at least one minority party commissioner attends, but prohibits voting or making any final decision at such a meeting. Requires publication of an executive summary of such meetings.

(Sec. 1002) Establishes in the FCC the Office of Indian Affairs to take certain actions, including working with Indian Tribes on a government-to-government basis to ensure that tribes have adequate access to communications services.

(Sec. 1003) Establishes in the FCC the Office of Consumer Advocate, to be independent of other FCC bureaus and offices. Requires that the Office's director act as an attorney for, and represent, all residential consumers generally in any matters relating to the FCC's jurisdiction. Allows the director, when there is a conflict between residential consumer classes, to choose to represent one or none of the interests. Establishes an advisory committee to assist the director. Declares that creation of the Office does not derogate the standing of any state consumer advocate or any national association of state utility consumer advocates to appear before the FCC or appeal any FCC decision.

(Sec. 1004) Requires the FCC to report annually to Congress on the extent to which providers of telecommunications service, broadband service, and IP-enabled voice service have deployed their own local transmission facilities.

(Sec. 1005) Increases tenfold the maximum forfeiture penalties for common carriers or applicants who have violated the Communications Act of 1934 or specified provisions of the federal criminal code. Shields independent network affiliates, in some circumstances, from penalties relating to network-originated programming.

(Sec. 1006) Prohibits, notwithstanding any other provision of law (currently, notwithstanding specified provisions), a state or local government from regulating or adjudicating the entry of or the rates charged by any provider of commercial mobile service or private mobile service.

Requires the FCC to conclude a proceeding regulating the content and presentation of telecommunications carriers' billing statements.

(Sec. 1008) Gives the FCC, notwithstanding any other provision of law, authority to issue decisions made in two specified petitions for declaratory rulings. Prohibits it from undermining, altering, or amending those decisions and requires dismissal of any related pending challenges.

(Sec. 1009) Requires the FCC to issue a further Notice of Proposed Rulemaking before making any changes to a specified regulation relating to multiple ownership of broadcast stations. Declares null and void a specified cross-media limits rule and reinstates, effective June 2, 2003, certain regulations as they were in effect before adoption of that rule.

(Sec. 1010) Prohibits the FCC from promulgating rules regarding media ownership without first completing regulatory action in a specified proceeding.

(Sec. 1011) Requires broadband service providers to report to the FCC where the provider provides service, the percentage of households and businesses in each service area offered service, and related price, throughput, and contention ratio information. Requires the FCC to report to Congress annually on the demographics of each service area that is not served by any broadband service provider.

(Sec. 1012) Penalizes, for one year after leaving the FCC, anyone who held specified FCC positions (regardless of basic rate of pay) if they communicate with or appear before any FCC officer or employee, on behalf of another person in connection with any matter on which such person seeks official action by any FCC officer or employee.

(Sec. 1013) Amends the Internet Tax Freedom Act to make permanent provisions prohibiting states and their subdivisions from imposing taxes on Internet access and from imposing multiple or discriminatory taxes on electronic commerce.

(Sec. 1014) Mandates reports to Congress on: (1) E-911 implementation progress and plans; and (2) telemedicine.

(Sec. 1016) Establishes in the National Science Foundation: (1) a program of basic research, including mandated grants, in advanced information and communications technologies focused on facilitating availability and affordability of services to all Americans; and (2) the Federal Advanced Information and Communications Technology Board. Mandates, subject to appropriations, multiyear grants to establish multidisciplinary Centers for Communications Research to generate innovative approaches to communications and information technology research.

Requires development of a plan to increase spectrum sharing between federal and nonfederal government users. Establishes a pilot program for plan implementation.

Requires the National Institute of Standards and Technology (NIST) to support: (1) research and standards development in advanced information and communications technologies focused on facilitating availability and affordability of services to all Americans; and (2) intramural research and cooperative research with institutions of higher education and industry.

(Sec. 1017) Amends the Communications Act of 1934 to require the FCC to vote on a petition for forbearance from applying FCC regulations within one year of receiving the petition. (Current law deems the petition granted if not denied within one year.)

(Se. 1018) Requires the FCC to complete certain proceedings on special access rates by a specified period after enactment of this Act.

**Title XI: Local Community Radio Act** - Local Community Radio Act of 2006 - (Sec. 1102) Amends provisions of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 to repeal specified provisions concerning low-power FM radio stations.

(Sec. 1103) Requires the FCC to modify its rules to eliminate third-adjacent minimum distance separation requirements between: (1) low-power FM stations; and (2) full-service FM stations, FM translator stations, and FM booster stations.

(Sec. 1104) Requires the FCC to: (1) retain its rules that provide third-adjacent channel protection for full-power noncommercial FM stations that broadcast radio reading services via a subcarrier frequency from potential low-power FM station interference; (2) ensure, when licensing FM translator stations, that licenses are available to both translator and low-power stations and that the decisions are made based on local community needs; and (3) retain its rules that provide third-adjacent channel protection for full-power FM stations licensed in significantly populated states.

**Title XII: Cell Phone Tax Moratorium** - Cell Phone Tax Moratorium Act of 2006 - (Sec. 1202) Prohibits any state or its subdivision from imposing a new discriminatory tax on or regarding mobile services providers or property for three years after enactment of this Act.

**Title XIII: Truth in Caller ID** - Truth in Caller ID Act of 2006 - (Sec. 1302) Amends the Communications Act of 1934 to make it unlawful for any person, regarding telecommunications or IP-enabled voice service, to cause any caller identification service to transmit misleading or inaccurate information (but allows caller identification blocking). Provides for civil forfeiture and criminal fines. Allows certain state officers to bring a civil action in federal court to enforce this provision or to impose the civil penalties for violations.

**Title XIV: Rural Wireless and Broadband Service** - Rural Wireless and Broadband Service Act of 2006 - (Sec. 1402) Amends provisions relating to competitive bidding for licenses to require the FCC to consider the use of licensing spectrum in smaller geographic areas to encourage wireless deployment and buildout in rural and underserved areas.

(Sec. 1403) Requires a biennial report to Congress on the impact of the Commission's spectrum leasing and spectrum partitioning and disaggregation rules in facilitating, through the development of secondary markets, the deployment of spectrum-based services to the public, particularly in rural and underserved areas. Requires the FCC to develop an integrated national database, accessible by the public, that identifies, for each licensee, the spectrum assigned to the licensee and the geographic area to which the spectrum is assigned or licensed.

(Sec. 1404) Requires the FCC and the National Telecommunications and Information Administration, every five years, to conduct a band-by-band analysis of the spectrum managed by each such agency and report to Congress any bands identified as not being used in an effective or efficient way.

(Sec. 1405) Requires the FCC, by rule, to reconfigure the band plans for the upper 700 megahertz band and for the unauctioned portions of the lower 700 megahertz band so as to designate up to six megahertz of recovered analog spectrum for small geographic license areas. Prohibits the FCC from any reconfiguration of those band plans if that reconfiguration is determined to be likely to delay the auction of recovered spectrum or the termination of analog licenses required by specified provisions of law.

## Actions Timeline

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- **Sep 29, 2006:** Committee on Commerce, Science, and Transportation. Reported by Senator Stevens with an amendment in the nature of a substitute. With written report No. 109-355. Additional views filed.
- **Sep 29, 2006:** Committee on Commerce, Science, and Transportation. Reported by Senator Stevens with an amendment in the nature of a substitute. With written report No. 109-355. Additional views filed.
- **Sep 29, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 652.
- **Jun 28, 2006:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 27, 2006:** Committee on Commerce, Science, and Transportation. Committee consideration and Mark Up Session held.
- **Jun 22, 2006:** Committee on Commerce, Science, and Transportation. Committee consideration and Mark Up Session held.
- **Jun 12, 2006:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Jun 8, 2006:** Rule H. Res. 850 passed House.
- **Jun 8, 2006:** Considered under the provisions of rule H. Res. 850. (consideration: CR H3551-3558; text of measure as reported in House: CR H3563-3569)
- **Jun 8, 2006:** Rule provides for consideration of H.R. 5252 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jun 8, 2006:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 850 and Rule XVIII.
- **Jun 8, 2006:** The Speaker designated the Honorable Tom Price to act as Chairman of the Committee.
- **Jun 8, 2006:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5252.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Barton (TX) amendment.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson-Lee amendment.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Wynn amendment.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the E.B. Johnson (TX) amendment.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Rush amendment.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Smith (TX) amendment.
- **Jun 8, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Smith (TX) amendment, the Chair put the question on adoption of the amendment and by voice vote announced that the ayes had prevailed. Mr. Smith (TX) demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 20 minutes of debate on the Markey amendment.
- **Jun 8, 2006:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Markey amendment, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Markey demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Jun 8, 2006:** DEBATE - Pursuant to H. Res. 850, the Committee of the Whole proceeded with 10 minutes of debate on the Gutknecht amendment.
- **Jun 8, 2006:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of specified amendments which were debated earlier and on which further proceedings were postponed.
- **Jun 8, 2006:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5252.
- **Jun 8, 2006:** The previous question was ordered pursuant to the rule. (consideration: CR H3586)

- Jun 8, 2006:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Jun 8, 2006:** Ms. Solis moved to recommit with instructions to Energy and Commerce.
  - **Jun 8, 2006:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Solis motion to recommit with instructions.
  - **Jun 8, 2006:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H3583-3586; text: CR H3583-3584)
  - **Jun 8, 2006:** On motion to recommit with instructions Failed by the Yeas and Nays: 165 - 256 (Roll no. 240).
  - **Jun 8, 2006:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 321 - 101 (Roll no. 241).
  - **Jun 8, 2006:** On passage Passed by the Yeas and Nays: 321 - 101 (Roll no. 241).
  - **Jun 8, 2006:** Motion to reconsider laid on the table Agreed to without objection.
  - **Jun 7, 2006:** Rules Committee Resolution H. Res. 850 Reported to House. Rule provides for consideration of H.R. 5252 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
  - **Jun 6, 2006:** Supplemental report filed by the Committee on Energy and Commerce, H. Rept. 109-470, Part II.
  - **Jun 6, 2006:** Supplemental report filed by the Committee on Energy and Commerce, H. Rept. 109-470, Part II.
  - **May 17, 2006:** Reported by the Committee on Energy and Commerce. H. Rept. 109-470.
  - **May 17, 2006:** Reported by the Committee on Energy and Commerce. H. Rept. 109-470.
  - **May 17, 2006:** Placed on the Union Calendar, Calendar No. 259.
  - **May 1, 2006:** Introduced in House
  - **May 1, 2006:** Introduced in House
  - **May 1, 2006:** Referred to the House Committee on Energy and Commerce.