

HR 3509

Wireless Innovation and Public Safety Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Science, Technology, Communications

Introduced: Nov 29, 2011

Current Status: Referred to the Subcommittee on Communications and Technology.

Latest Action: Referred to the Subcommittee on Communications and Technology. (Dec 9, 2011)

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Sponsor

Name: Rep. Waxman, Henry A. [D-CA-30]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Nov 29, 2011
Rep. DeGette, Diana [D-CO-1]	D · CO		Nov 29, 2011
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Nov 29, 2011
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Nov 29, 2011
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Nov 29, 2011
Rep. Markey, Edward J. [D-MA-7]	D · MA		Nov 29, 2011
Rep. Matsui, Doris O. [D-CA-5]	D · CA		Nov 29, 2011
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Nov 29, 2011
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Nov 29, 2011
Rep. McGovern, James P. [D-MA-3]	D · MA		Feb 2, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 9, 2011
Oversight and Government Reform Committee	House	Referred To	Nov 29, 2011
Science, Space, and Technology Committee	House	Referred to	Dec 2, 2011

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
112 HR 2482	Related bill	Aug 15, 2011: Referred to the Subcommittee on Strategic Forces.
112 HR 2629	Related bill	Aug 1, 2011: Referred to the Subcommittee on Communications and Technology.
112 HR 2520	Related bill	Jul 15, 2011: Referred to the Subcommittee on Communications and Technology.
112 HR 911	Related bill	Mar 11, 2011: Referred to the Subcommittee on Communications and Technology.

Wireless Innovation and Public Safety Act of 2011 - Increases the allocation of electromagnetic spectrum for use by public safety entities by: (1) directing the Federal Communications Commission (FCC) to reallocate to such entities specified frequencies of the 700 MHz D block spectrum, and (2) amending the Communications Act of 1934 to increase public safety services allocation and reduce commercial use allocation by 10 megahertz within a specified range.

Authorizes the establishment of a private, nonprofit Public Safety Broadband Corporation to deploy a nationwide, interoperable public safety broadband network based on a single, national network architecture. Requires the FCC to: (1) revoke the license for the public safety broadband spectrum and specified guard band spectrum; and (2) assign a new, single license for such spectrum ranges to the Corporation for a renewable 10-year term to ensure the construction, management, maintenance, and operation of such network.

Revises the definition of "public safety services," with respect to the allocation and assignment of new public safety services licenses, to: (1) specify that the sole purpose of such services is to provide law enforcement, fire and rescue response, or emergency medical assistance, including such assistance provided by ambulance services, hospitals, and urgent care facilities (currently, the sole purpose is to protect the safety of life, health, or property); and (2) include services provided by tribal organizations or nongovernmental organizations authorized by a tribal organization (currently, only state or local government entities or nongovernmental organizations authorized by a government entity).

Prohibits the FCC from renewing a license to use the narrowband spectrum, or granting an application for an initial license more than three years after enactment of this Act, unless the failure to renew or grant such license would cause considerable economic hardship or adversely impact public safety services. Authorizes the FCC to allow flexible use of the narrowband and guard band spectrum, including for public safety broadband communications.

Establishes a grant program for states that establish a State Public Safety Broadband Office. Requires that such grants assist state, local, and tribal public safety entities in: (1) integrating the spectrum, infrastructure, equipment, and other network architecture to satisfy the wireless communications and data services needs of such entities; (2) creating consortium among states to develop proposals serving common network requirements; and (3) identifying assets (available towers and infrastructure) and specialized needs of the public safety entities for inclusion in radio access network proposals.

Allows the Corporation, with FCC approval, to: (1) upon such an Office's request, enter agreements with non-public safety entities in the respective states to permit access to the public safety broadband spectrum on a secondary, preemptible basis in order to facilitate interoperability between non-public safety entities and public safety entities during emergencies; and (2) permit a private entity with whom the Corporation contracts on behalf of public safety entities (to construct, manage, maintain, or operate the core network or the radio access network) to obtain access to such spectrum for non-public safety services or share equipment or infrastructure of the public safety broadband network.

Directs the Corporation to enter into any written agreements necessary to permit federal agencies to have shared access to the public safety broadband spectrum on an equivalent basis to protect the safety of life, health, and property.

Amends the National Telecommunications and Information Administration Organization Act (NTIA Organization Act) to reestablish and extend matching grants, for a five-year period, to eligible state or local governments or tribal organizations for the implementation, operation, and migration of various 9-1-1, E9-1-1 (wireless telephone location), Next Generation 9-1-1 (voice, text, video), and IP-enabled emergency services and public safety personnel training.

Directs the Assistant Secretary for Communications and Information of the Department of Commerce and the Administrator of the National Highway Traffic Safety Administration (NHTSA) to establish a 9-1-1 Implementation Coordination Office.

Provides immunity and liability protection, to the extent consistent with specified provisions of the Wireless Communications and Public Safety Act of 1999, to various users and providers of Next Generation 9-1-1 and related services, including for the release of subscriber information.

Directs the FCC to: (1) initiate a proceeding to create a specialized Do-Not-Call registry for public safety answering points, and (2) establish penalties and fines for autodialing (robocalls) and related violations.

Sets forth timetables within which the FCC, for specified spectrum ranges, is required to: (1) assign licenses for nonfederal use through competitive bidding auctions, or (2) reallocate spectrum for unlicensed use.

Extends, until September 30, 2021, the FCC's authority to grant a license or permit under applicable competitive bidding provisions.

Authorizes the FCC, if it is consistent with the public interest in spectrum utilization for a licensee to voluntarily relinquish licensed spectrum usage rights in order to permit, through competitive bidding, the assignment of initial licenses subject to new service rules (on a flexible-use basis to the extent technologically feasible) or to permit the allocation of spectrum for unlicensed use, to disburse to such licensee, from the competitive bidding proceeds from such relinquishments, an amount based on the value of the licensee's relinquished rights.

Requires the FCC, in order to create a geographically contiguous band of spectrum across the United States, to: (1) create a framework to make appropriate portions of the television broadcast spectrum available, and (2) require television broadcast station licensees and other licensees to relocate.

Requires that the reclamation or modification of spectrum usage rights of a television broadcast station licensee for the purpose of providing spectrum usage rights to carry out such incentive auctions be on a voluntary basis, except that the FCC, subject to limitations, may: (1) reclaim such rights if it assigns the licensee an identical amount of contiguous spectrum in the same geographic market; and (2) modify such rights, if it is in the public interest, and compensate the licensee for reduced rights.

Establishes an Incentive Auction Relocation Fund from which television broadcast station licensees are compensated for specified relocation costs and reduced spectrum usage rights.

Requires that certain mobile satellite service spectrum be repurposed for terrestrial broadband use through competitive bidding incentive auctions.

Directs the proceeds from specified auctions to be deposited in a Public Safety Trust Fund and used for disbursals to certain licensees voluntarily relinquishing licensed spectrum and deposits to various other funds established to carry out activities required by this Act. Requires remaining amounts to be deposited in the Treasury's general fund for deficit reduction.

Amends the NTIA Organization Act to: (1) provide for payment of relocation and sharing costs incurred by federal agencies for certain potential or planned auctions, sharing of spectrum frequencies, or reallocation from federal use to exclusive nonfederal or shared use; and (2) permit federal entities to allow nonfederal entities access to frequency assignments with NTIA approval.

Actions Timeline

- **Dec 9, 2011:** Referred to the Subcommittee on Communications and Technology.
- **Dec 2, 2011:** Referred to the Subcommittee on Technology and Innovation.
- **Nov 29, 2011:** Introduced in House
- **Nov 29, 2011:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.