

112TH CONGRESS  
1ST SESSION

# H. R. 1622

To amend the Communications Act of 1934 to provide for voluntary incentive auction revenue sharing.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2011

Mr. LATTA introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Communications Act of 1934 to provide for voluntary incentive auction revenue sharing.

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 “Spectrum Innovation  
5 Act”.

6 **SEC. 2. VOLUNTARY INCENTIVE AUCTION REVENUE SHAR-**  
7 **ING.**

8 Section 309(j)(8) of the Communications Act of 1934  
9 (47 U.S.C. 309(j)(8)) is amended—

1 (1) in subparagraph (A), by striking “(D), and  
2 (E),” and inserting “(D), (E), and (F),”; and

3 (2) by adding at the end the following:

4 “(F) VOLUNTARY INCENTIVE AUCTION  
5 REVENUE SHARING.—

6 “(i) IN GENERAL.—Notwithstanding  
7 subparagraph (A) and except as provided  
8 in subparagraphs (B) and (C), if the Com-  
9 mission determines that it is consistent  
10 with the public interest in utilization of the  
11 spectrum for a licensee to relinquish volun-  
12 tarily some or all of its licensed spectrum  
13 usage rights in order to permit the assign-  
14 ment of new initial licenses subject to new  
15 service rules, the proceeds from the use of  
16 a competitive bidding system under this  
17 subsection in granting such rights to an-  
18 other licensee shall be shared, in an  
19 amount or percentage that the Commission  
20 considers appropriate, with the licensee  
21 who voluntarily relinquished such rights.

22 “(ii) AMOUNTS NOT SHARED DEPOS-  
23 ITED IN TREASURY.—In any case in which  
24 a licensee voluntarily relinquishes licensed  
25 spectrum usage rights under clause (i), the

1 Commission shall deposit in the Treasury  
2 any portion of the proceeds described in  
3 such clause that the Commission does not  
4 share with the licensee (except proceeds re-  
5 tained under subparagraph (B) and depos-  
6 its described in subparagraph (C)).”.

7 **SEC. 3. RULES FOR VOLUNTARY INCENTIVE AUCTION REV-**  
8 **ENUE SHARING.**

9 Not later than 1 year after the date of the enactment  
10 of this Act, the Federal Communications Commission shall  
11 establish rules for the implementation of voluntary incen-  
12 tive auction revenue sharing under subparagraph (F) of  
13 section 309(j)(8) of the Communications Act of 1934, as  
14 added by section 2(2).

15 **SEC. 4. NO INVOLUNTARY RECLAMATION OF FRE-**  
16 **QUENCIES.**

17 The Federal Communications Commission may not  
18 reclaim frequencies of broadcast television licensees di-  
19 rectly or indirectly on an involuntary basis under subpara-  
20 graph (F) of section 309(j)(8) of the Communications Act  
21 of 1934, as added by section 2(2).

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