

112TH CONGRESS
1ST SESSION

H. R. 2520

To require the Federal Communications Commission to modify its regulations to allow certain unlicensed use in the 5350–5470 MHz band and the 5850–5925 MHz band.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2011

Ms. MATSUI introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To require the Federal Communications Commission to modify its regulations to allow certain unlicensed use in the 5350–5470 MHz band and the 5850–5925 MHz band.

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 for Innova-
5 tion Act of 2011”.

6 **SEC. 2. UNLICENSED USE IN THE 5 GHZ BAND.**

7 (a) MODIFICATION OF FCC REGULATIONS TO
8 ALLOW CERTAIN UNLICENSED USE.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 not later than 1 year after the date of the enactment
3 of this Act, the Federal Communications Commis-
4 sion shall modify part 15 of title 47, Code of Fed-
5 eral Regulations, to allow unlicensed U–NII devices
6 to operate in the 5350–5470 MHz band and the
7 5850–5925 MHz band.

8 (2) REQUIRED DETERMINATIONS.—The Federal
9 Communications Commission may make the modi-
10 fication described in paragraph (1) only if the Com-
11 mission determines that—

12 (A) licensed users will be protected by
13 technical solutions, including use of existing,
14 modified, or new spectrum-sharing technologies
15 and solutions, such as dynamic frequency selec-
16 tion; and

17 (B) the primary mission of Federal spec-
18 trum users in the 5350–5470 MHz band and
19 the 5850–5925 MHz band will not be com-
20 promised by the introduction of unlicensed de-
21 vices.

22 (b) STUDY BY NTIA.—

23 (1) IN GENERAL.—The Assistant Secretary of
24 Commerce for Communications and Information, in
25 consultation with the Federal Communications Com-

1 mission, shall conduct a study evaluating known and
2 proposed spectrum-sharing technologies and the risk
3 to Federal users if unlicensed U–NII devices were
4 allowed to operate in the 5350–5470 MHz band and
5 the 5850–5925 MHz band.

6 (2) SUBMISSION.—Not later than 8 months
7 after the date of the enactment of this Act, the As-
8 sistant Secretary of Commerce for Communications
9 and Information shall submit the study required by
10 paragraph (1) to—

11 (A) the Federal Communications Commis-
12 sion; and

13 (B) the Committee on Energy and Com-
14 merce of the House of Representatives and the
15 Committee on Commerce, Science, and Trans-
16 portation of the Senate.

17 (c) DEFINITIONS.—In this section:

18 (1) 5350–5470 MHz BAND.—The term “5350–
19 5470 MHz band” means the portion of the electro-
20 magnetic spectrum between the frequencies from
21 5350 megahertz to 5470 megahertz, inclusive.

22 (2) 5850–5925 MHz BAND.—The term “5850–
23 5925 MHz band” means the portion of the electro-
24 magnetic spectrum between the frequencies from
25 5850 megahertz to 5925 megahertz, inclusive.

1 (3) U–NII DEVICES.—The term “U–NII de-
2 vices” has the meaning given such term in section
3 15.403(s) of title 47, Code of Federal Regulations,
4 except for the frequency bands specified in such sec-
5 tion.

○