



THE UNITED STATES CONFERENCE OF MAYORS

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D-BLOCK SPECTRUM BILLS (AS OF JULY 15, 2011)

LEGISLATIVE PROPOSAL	s. 911	s. 1040	HOUSE COMMERCE MAJORITY DRAFT	HOUSE COMMERCE MINORITY DRAFT	H.R. 2482	H.R. 607
AUTHOR	ROCKEFELLER-HUTCHISON	LIEBERMAN-MCCAIN			DINGELL-GREEN	KING BILL
TITLE	“PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT”	“BROADBAND FOR FIRST RESPONDERS ACT OF 2011”	“SPECTRUM INNOVATION ACT OF 2011”	“PUBLIC SAFETY BROADBAND AND WIRELESS INNOVATION ACT OF 2011”	“PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT” IDENTICAL TO S. 911 BUT FOR SOME BROADCAST FEATURES	“BROADBAND FOR FIRST RESPONDERS ACT OF 2011”
STATUS	REPORTED FAVORABLY BY THE SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION	REFERRED TO THE SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION	NOT YET INTRODUCED. IT WILL LIKELY BE INTRODUCED AS A SUBSTITUTE FOR H.R. 911	NOT YET INTRODUCED	NOT YET INTRODUCED	REFERRED TO HOUSE ENERGY AND COMMERCE COMMITTEE
SIZE OF BILL (AS A REFLECTION OF THE NUMBER OF ISSUES ADDRESSED.)	108 PAGES	28 PAGES	55 PAGES	133 PAGES	127 PAGES	27 PAGES
OUTLOOK FOR SUCCESS	THIS WILL BE THE SENATE VEHICLE, BUT RESOLUTION OF FUNDING AND GOVERNANCE ISSUES WILL LIKELY BE CLARIFIED.	SECTIONS OF THIS LEGISLATION MAY BE INCORPORATED IN S. 911 BEFORE PASSAGE BY SENATE	THIS WILL EVENTUALLY BE THE BILL THAT PASSES THE HOUSE. QUESTION IS HOW MUCH CAN IT BE CHANGED?	THIS BILL CAN INFLUENCE THE PROCESS, BUT A MINORITY BILL WILL NOT CARRY THE DAY IN THE HOUSE.	THIS BILL CAN INFLUENCE THE PROCESS, BUT A MINORITY BILL WILL NOT CARRY THE DAY IN THE HOUSE..	THIS BILL WILL INFLUENCE PROCESS, BUT NOT BE THE FINAL BILL.
D-BLOCK TO PUBLIC SAFETY	YES	YES	NO	YES	YES	YES
LICENSEE – WHO HOLDS THE LICENSE?	PUBLIC SAFETY BROADBAND CORPORATION	PUBLIC SAFETY SPECTRUM TRUST CORPORATION AS ESTABLISHED BY FCC WITH SOME SLIGHT MODIFICATION (I.E. BOARD GOES FROM 15 TO 44 MEMBERS AT MINIMUM)	THE STATES -FOR DEVELOPMENT OF A BROADBAND PUBLIC SAFETY NETWORK USING THE 24 MHZ OF SPECTRUM CLEARED BY THE 2005 DTV LEGISLATION ALSO, ESTABLISHES A BOARD OF FEDERAL, STATE AND COMMERCIAL MEMBERS TO GOVERN CONSTRUCTION AND OPERATION OF THE PUBLIC SAFETY NETWORK.	PUBLIC SAFETY BROADBAND NETWORK CORPORATION	PUBLIC SAFETY BROADBAND CORPORATION	PUBLIC SAFETY BROADBAND LICENSEE

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GOVERNING BOARD OF LICENSEE	15 MEMBERS 4 FEDS 11 NON-FEDERAL. <ul style="list-style-type: none"> • 3 MUST REPRESENT STATE, LOCAL OR TRIBAL INTERESTS AND • 3 MUST BE PUBLIC SAFETY PERSONNEL. • ALL NON-FEDERAL MUST POSSESS SOME EXPERTISE. • NON-FEDERAL MEMBERS CANNOT SERVE MORE THAN TWO 3 YEAR TERMS. • REIMBURSEMENT FOR TRAVEL OK – NOTHING ELSE. • CHAIR APPOINTED BY SEC. OF COMMERCE. • EX. DIR AND STAFF TO BE PAID AND EMPLOYED BY THE BOARD. 	44 MEMBERS (MINIMUM) NAMED ENTITIES (44 OF THEM) ARE GUARANTEED POSITIONS ON BOARD. OTHERS WELCOME BY MAJORITY VOTE OF BOARD. NO FEDERAL MEMBERS AND NO PRIVATE SECTOR MEMBERS.	NO LICENSEE GOVERNING BOARD, BUT FCC APPOINTS PUBLIC SAFETY COMMUNICATIONS PLANNING BOARD TO DEVELOP DETAILED PROPOSAL TO GOVERN USE OF THE PUBLIC SAFETY SPECTRUM BY STATES TO MEET LONG-TERM PUBLIC SAFETY COMMUNICATIONS NEEDS.	15 MEMBERS 4 FEDS 11 NON-FEDERAL. <ul style="list-style-type: none"> • 7 MUST REPRESENT STATE, LOCAL OR TRIBAL INTERESTS 1. 2 GOVERNORS 2. 2 LOCALS CEOS 3. 3 PUBLIC SAFETY • 3 PUBLIC SAFETY PERSONNEL MUST POSSESS SOME EXPERTISE. • 4 NETWORK PRIVATE EXPERTS. • NON-FEDERAL MEMBERS CANNOT SERVE MORE THAN TWO 3 YEAR TERMS. (THERE WOULD BE STAGGERED TERMS TO START.) • REIMBURSEMENT FOR TRAVEL OK – NOTHING ELSE. EX. DIR AND STAFF TO BE PAID AND EMPLOYED BY THE BOARD.;	15 MEMBERS 4 FEDS 11 NON-FEDERAL. <ul style="list-style-type: none"> • 3 MUST REPRESENT STATE, LOCAL OR TRIBAL INTERESTS AND • 3 MUST BE PUBLIC SAFETY PERSONNEL. • ALL NON-FEDERAL MUST POSSESS SOME EXPERTISE. • NON-FEDERAL MEMBERS CANNOT SERVE MORE THAN TWO 3 YEAR TERMS. • REIMBURSEMENT FOR TRAVEL OK – NOTHING ELSE. • CHAIR APPOINTED BY SEC. OF COMMERCE. EX. DIR AND STAFF TO BE PAID AND EMPLOYED BY THE BOARD.	39 MEMBERS FROM NAMED ENTITIES, PRIMARILY REPRESENTING NATIONAL PUBLIC SAFETY AND STATE AND LOCAL GOVERNMENT ORGANIZATIONS AND OTHER ORGANIZATIONS REQUESTING MEMBERSHIP VOTED IN BY MAJORITY OF BOARD MEMBERS
GRANT FUNDING	CREATES A \$13.25 B FUND (FUND ALSO GETS TO KEEP ANY INTEREST GENERATED AND HAS MANDATE TO BE SELF SUSTAINING.)	CREATES AN \$11B FUND	AUTHORIZES AN AS YET UNSPECIFIED AMOUNT FOR CONSTRUCTION OF THE NETWORK. THE STATES, THROUGH PUBLIC/PRIVATE PARTNERSHIPS, SHALL BE ELIGIBLE FOR GRANTS TO BUILD OUT NEEDED INFRASTRUCTURE AND TO OBTAIN COMPATIBLE DEVICES.	ESTABLISHES PUBLIC SAFETY TRUST FUND WITH AUCTION PROCEEDS AUTHORIZES <ul style="list-style-type: none"> • \$250 M FOR STATE, LOCAL, AND TRIBAL PLANNING AND IMPLEMENTATION FUND AND ESTABLISHES STATE 	CREATES A \$13.25 B FUND (FUND ALSO GETS TO KEEP ANY INTEREST GENERATED AND HAS MANDATE TO BE SELF SUSTAINING.)	CREATES PUBLIC SAFETY BROADBAND NETWORK CONSTRUCTION FUND AND PUBLIC SAFETY BROADBAND NETWORK MAINTENANCE AND OPERATION FUND, WITH \$5.5 B TO BE

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				GRANT PROGRAM WEITH 80-20 MATCH <ul style="list-style-type: none"> • \$11 B FOR PUBLIC SAFETY BROADBAND CORPORATION 		DEPOSITED IN EACH FROM AUCTION PROCEEDS
USE OF NARROWBAND SPECTRUM FOR PUBLIC SAFETY	PRESERVES FLEXIBLE USE SEC. 102. FLEXIBLE USE OF NARROW-BAND SPECTRUM. THE COMMISSION MAY ALLOW THE NARROWBAND SPECTRUM TO BE USED IN A FLEXIBLE MANNER, INCLUDING USAGE FOR PUBLIC SAFETY BROADBAND COMMUNICATIONS, SUBJECT TO SUCH TECHNICAL AND INTERFERENCE PROTECTION MEASURES AS THE COMMISSION MAY REQUIRE. SEC 223		“SUNSETS” NARROWBAND USE OF 700 MHZ AFTER 10 YEARS SECTION 201 PROVIDES (1) NO FURTHER NARROWBAND DEVELOPMENT.—THE COMMISSION MAY NOT PERMIT THE PUBLIC SAFETY SPECTRUM TO BE USED BY A NARROWBAND LAND MOBILE RADIO SYSTEM UNLESS SUCH SYSTEM WAS PURCHASED BEFORE SEPTEMBER 1, 2011. (2) REALLOCATION FOR BROADBAND USE.— THE COMMISSION, IN CONSULTATION WITH THE ADMINISTRATOR, SHALL DEVELOP A PLAN FOR REALLOCATING FOR BROADBAND PUBLIC SAFETY COMMUNICATIONS THE PORTION OF THE ELECTROMAGNETIC SPECTRUM BETWEEN THE FREQUENCIES FROM 768 MEGAHERTZ TO 775 MEGAHERTZ AND FROM 798 MEGAHERTZ TO 805 MEGAHERTZ. (3) ISSUANCE OF LICENSES.— NOT LATER THAN 10 YEARS AFTER THE DATE OF THE ENACTMENT OF THIS ACT, THE COMMISSION SHALL REISSUE	BANS RENEWAL OF ANY NARROWBAND LICENSE RENEWAL AFTER THE DATE OF ENACTMENT UNLESS THE LICENSEE DEMONSTRATES THAT FAILURE OF THE COMMISSION TO RENEW SUCH LICENSE WILL— (1) CAUSE CONSIDERABLE ECONOMIC HARDSHIP; OR (2) ADVERSELY IMPACT THE ABILITY OF THE LICENSEE TO PROVIDE PUBLIC SAFETY SERVICES.	PRESERVES FLEXIBLE USE SEC. 102. FLEXIBLE USE OF NARROW-BAND SPECTRUM. THE COMMISSION MAY ALLOW THE NARROWBAND SPECTRUM TO BE USED IN A FLEXIBLE MANNER, INCLUDING USAGE FOR PUBLIC SAFETY BROADBAND COMMUNICATIONS, SUBJECT TO SUCH TECHNICAL AND INTERFERENCE PROTECTION MEASURES AS THE COMMISSION MAY REQUIRE. SEC 223	

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			THE LICENSES DESCRIBED IN SUBSECTION (A)(1) TO INCLUDE THE SPECTRUM DESCRIBED IN PARAGRAPH (2).			
INFRASTRUCTURE SHARE	\$10.5 B FOR NETWORK BUILD OUT \$1.25 B FOR EVOLVED PACKET CORE (NOT DEFINED) 80-20 FEDERAL-LOCAL MATCH – WITH WHAT APPEARS TO BE LIBERAL WAIVER AUTHORITY OVER MATCH SHARE.	\$5.5B 80-20 FEDERAL-LOCAL MATCH	NA	AUTHORIZES \$11 B FOR PUBLIC SAFETY BROADBAND CORPORATION TO BE USED FOR ENSURING THE CONSTRUCTION, MANAGEMENT, MAINTENANCE, AND OPERATION OF PUBLIC SAFETY BROADBAND NETWORK DOES NOT SPECIFY MATCHING REQUIREMENTS	\$10.5 B FOR NETWORK BUILD OUT \$1.25 B FOR EVOLVED PACKET CORE (NOT DEFINED) 80-20 FEDERAL-LOCAL MATCH – WITH WHAT APPEARS TO BE LIBERAL WAIVER AUTHORITY OVER MATCH SHARE.	CONSTRUCTION GRANT PROGRAM 80-20 FEDERAL-NONFEDERAL MATCH, AND NON-FEDERAL MAY BE PROVIDED IN KIND
OPERATIONS SHARE	\$0 IN FUNDING, BUT CORPORATIONS IS DIRECTED TO A PERMANENT SELF-FUNDING THROUGH CHARGING BASICALLY AT COST: 1. NETWORK USER FEE 2. LEASE FEES RELATED TO NETWORK CAPACITY 3. LEASE FEES RELATED TO NETWORK EQUIPMENT AND INFRASTRUCTURE	\$5.5B 50-50 MATCH FOR 10 YEARS (THEN FOR DEFICIT REDUCTION)	SILENT	AUTHORIZES \$11 B FOR PUBLIC SAFETY BROADBAND CORPORATION TO BE USED FOR ENSURING THE CONSTRUCTION, MANAGEMENT, MAINTENANCE, AND OPERATION OF PUBLIC SAFETY BROADBAND NETWORK DOES NOT SPECIFY MATCHING REQUIREMENTS	\$0 IN FUNDING, BUT CORPORATIONS IS DIRECTED TO A PERMANENT SELF-FUNDING THROUGH CHARGING BASICALLY AT COST: • NETWORK USER FEE • LEASE FEES RELATED TO NETWORK CAPACITY • LEASE FEES RELATED TO NETWORK EQUIPMENT AND INFRASTRUCTURE	MAINTENANCE AND OPERATION REIMBURSEMENT PROGRAM WILL PAY UP TO 50 PERCENT OF COSTS

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<ul style="list-style-type: none"> RESEARCH 	<p>\$500 M – TO NIST FOR ADDRESSING IP PLATFORM FOR PUBLIC SAFETY USE (5 X \$100M PER YEAR)</p> <p>\$650 M (5 X \$130M PER YEAR) TO NSF TO DEVELOP RESEARCH ON “EMERGING WIRELESS TECHNOLOGIES THAT MAY ENHANCE ADVANCED COMMUNICATIONS SERVICES OR MAKE SUCH SERVICES MORE AFFORDABLE FOR CONSUMERS.”</p> <p>\$350 M (5 X \$70M PER YEAR) TO DEVELOP MORE SECURE, RELIABLE, AND FLEXIBLE RADIO-FREQUENCY SYSTEMS FOR FEDERAL WIRELESS USERS.</p>	<p>SILENT ON FUNDING BUT CALLS ON NTIA TO FILE A REPORT WITHIN 2 YEARS OF ENACTMENT</p>	<p>SILENT</p>	<p>\$100 M/YEAR FOR FIVE YEARS TO NIST FROM PUBLIC SAFETY TRUST FUND FOR PUBLIC SAFETY RESEARCH AND DEVELOPMENT</p>	<p>\$500 M – TO NIST FOR ADDRESSING IP PLATFORM FOR PUBLIC SAFETY USE (5 X \$100M PER YEAR)</p> <p>\$650 M (5 X \$130M PER YEAR) TO NSF TO DEVELOP RESEARCH ON “EMERGING WIRELESS TECHNOLOGIES THAT MAY ENHANCE ADVANCED COMMUNICATIONS SERVICES OR MAKE SUCH SERVICES MORE AFFORDABLE FOR CONSUMERS.”</p> <p>\$350 M (5 X \$70M PER YEAR) TO DEVELOP MORE SECURE, RELIABLE, AND FLEXIBLE RADIO-FREQUENCY SYSTEMS FOR FEDERAL WIRELESS USERS.</p>	<p>SILENT</p>
<p>OVERAGE TO DEFICIT REDUCTION</p>	<p>YES</p>	<p>YES</p>	<p>YES</p>	<p>YES</p>	<p>YES</p>	<p>SILENT</p>
<p>HOW WILL FUNDS BE RAISED</p>	<p>AUCTIONING OFF FOLLOWING SPECTRUM</p> <ul style="list-style-type: none"> 15 MEGAHERTZ OF CONTIGUOUS SPECTRUM AT FREQUENCIES LOCATED BETWEEN 1675 MEGAHERTZ AND 1710 MEGAHERTZ, 	<p>AUCTIONING OFF FOLLOWING SPECTRUM</p> <ul style="list-style-type: none"> 15 MEGAHERTZ OF CONTIGUOUS SPECTRUM AT FREQUENCIES LOCATED BETWEEN 1675 MEGAHERTZ AND 1710 MEGAHERTZ, 1755 – 1850 MHZ 1915 – 1920 MHZ 	<p>AUCTIONING OFF FOLLOWING SPECTRUM</p> <p>FREQUENCIES BETWEEN:</p> <ul style="list-style-type: none"> 1915-1920 MHZ; 2020-2025 MHZ 1755-1780 MHZ 2155-2180 MHZ 5350-5470 MHZ 5850-5925 MHZ 1670-1710 MHZ 	<p>AUCTIONING OFF FOLLOWING SPECTRUM</p> <ul style="list-style-type: none"> 15 MEGAHERTZ OF CONTIGUOUS SPECTRUM AT FREQUENCIES LOCATED FROM 1675-1710 MHZ, WITH SEVERAL EXCEPTED PORTIONS; 	<p>AUCTIONING OFF FOLLOWING SPECTRUM</p> <ul style="list-style-type: none"> 15 MEGAHERTZ OF CONTIGUOUS SPECTRUM AT FREQUENCIES LOCATED BETWEEN 1675 MEGAHERTZ AND 1710 MEGAHERTZ, 	<p>-</p>

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	<ul style="list-style-type: none"> • 1755 – 1850 MHZ • 1915 – 1920 MHZ • 1995 – 2000 MHZ • 2020 – 2025 MHZ • 2175 – 2180 MHZ • 2155 – 2175 MHZ (THIS IS SET OUT IN PARENS IN THE DRAFT.) PLUS “COVERED SPECTRUM” <ul style="list-style-type: none"> • 3550 TO 3650 MEGAHERTZ OR SUBSTITUTE SPECTRUM PLUS “INCENTIVE AUCTIONS”	<ul style="list-style-type: none"> • 1995 – 2000 MHZ • 2020 – 2025 MHZ • 2175 – 2180 MHZ 	<ul style="list-style-type: none"> • 2070-2110 MHZ • 1780-1800 MHZ • 2180 -2200 MHZ 	<ul style="list-style-type: none"> • 25 MEGAHERTZ OF CONTIGUOUS SPECTRUM AT FREQUENCIES LOCATED FROM 1755- 1850 MHZ • AT LEAST 15 MEGAHERTZ OF CONTIGUOUS SPECTRUM IDENTIFIED BY THE FCC • 2155-2180 MHZ • 550-3650 MHZ 	<ul style="list-style-type: none"> • 1755 – 1850 MHZ • 1915 – 1920 MHZ • 1995 – 2000 MHZ • 2020 – 2025 MHZ • 2175 – 2180 MHZ • 2155 – 2175 MHZ (THIS IS SET OUT IN PARENS IN THE DRAFT.) PLUS “COVERED SPECTRUM” <ul style="list-style-type: none"> • 3550 TO 3650 MEGAHERTZ OR SUBSTITUTE SPECTRUM PLUS “INCENTIVE AUCTIONS”	
SPECTRUM BELOW 512 MHZ.		ABSENT A SHOWING OF SPECIAL NEEDS, NO RENEWAL OF LICENSES FOR PUBLIC SAFETY ABOVE 170 MEGAHERTZ AND BELOW 512 MEGAHERTZ				
SPECTRUM IN THE 4.9 GHZ BAND		AUTHORIZES COMMISSION TO PERMIT SECONDARY USES FOR COMMERCIAL PURPOSES SO LONG AS IT DOES NOT INTERFERE (IN FCC’S OPINION) WITH PUBLIC SAFETY USE. FUNDS WOULD GO TO MAINTENANCE AND OPERATIONS FUND.				
IS THERE A GUARANTEE THAT ALL MAY BE REGARDLESS OF SIZE AND EXISTING SPECTRUM PORTFOLIO BID FOR SPECTRUM?	SILENT	YES			SILENT	

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TITLE	“PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT”	“BROADBAND FOR FIRST RESPONDERS ACT OF 2011”	“SPECTRUM INNOVATION ACT OF 2011”	“PUBLIC SAFETY BROADBAND AND WIRELESS INNOVATION ACT OF 2011”	“PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT” IDENTICAL TO S. 911 BUT FOR SOME BROADCAST FEATURES	“BROADBAND FOR FIRST RESPONDERS ACT OF 2011”
FCC OVERSIGHT AND RESEARCH	NO – CORPORATION RUNS PROGRAM, BUT FCC NOT LATER THAN 18 MONTHS AFTER ENACTMENT AND EVERY 3 YEARS THEREAFTER, SHALL CONDUCT A STUDY ON THE SPECTRUM HELD BY THE PUBLIC SAFETY ENTITIES.	BUILDS ON FCC CREATION OF PSST	FCC ADMINISTERS, ISSUES LICENSES, ESTABLISHES PUBLIC SAFETY COMMUNICATIONS PLANNING BOARD	FCC ASSIGNS LICENSE TO PUBLIC SAFETY BROADBAND COALITION, ENFORCES STATUTE, CONDUCTS AUCTIONS, ETC.	NO – CORPORATION RUNS PROGRAM, BUT FCC NOT LATER THAN 18 MONTHS AFTER ENACTMENT AND EVERY 3 YEARS THEREAFTER, FCC SHALL CONDUCT A STUDY ON THE SPECTRUM HELD BY THE PUBLIC SAFETY ENTITIES.	
INTEROPERABILITY OBLIGATION	YES	YES	NO	NIST REQUIRED TO ENSURE THE DEVELOPMENT AND TESTING OF NEW, INTEROPERABLE, NONPROPRIETARY BROADBAND TECHNOLOGIES	YES	YES
EMERGENCY RESPONSE AND INTEROPERABILITY CENTER (ERIC) FUNDING	NO – WORK SHIFTS TO CORPORATION	SILENT	SILENT	SILENT	NO – WORK SHIFTS TO CORPORATION	
DOES THE LEGISLATION PROVIDE THE FCC WITH INCENTIVE AUCTION AUTHORITY	YES	NO	YES	YES	YES – AND HERE IS WHERE IT DIFFERS FROM S. 911 THE MOST IN THE LIMITS IT PROVIDES ON FCC ACTIONS	NO
USE OF SATELLITE TECHNOLOGY FOR PUBLIC SAFETY	COMPTRROLLER GENERAL OF THE UNITED STATES SHALL CONDUCT A STUDY AND SUBMIT TO THE APPROPRIATE COMMITTEES OF CONGRESS A REPORT ON THE CURRENT AND FUTURE CAPABILITIES OF FIXED AND MOBILE SATELLITE BROADBAND	SILENT	SILENT	SILENT	COMPTRROLLER GENERAL OF THE UNITED STATES SHALL CONDUCT A STUDY AND SUBMIT TO THE APPROPRIATE COMMITTEES OF CONGRESS A REPORT ON THE CURRENT AND FUTURE CAPABILITIES OF FIXED AND MOBILE SATELLITE BROADBAND	

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	TO ASSIST PUBLIC SAFETY ENTITIES DURING AN EMERGENCY.				TO ASSIST PUBLIC SAFETY ENTITIES DURING AN EMERGENCY.	
WIRELESS FACILITIES DEPLOYMENT (PREEMPTION OF ZONING)	SEC 528 – PREMPTS NOTWITHSTANDING SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996 (PUBLIC LAW 21 104–104) OR ANY OTHER PROVISION OF LAW, A STATE OR LOCAL GOVERNMENT MAY NOT DENY, AND SHALL APPROVE, ANY ELIGIBLE FACILITIES REQUEST FOR A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT DOES NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF SUCH TOWER	NO PROVISION	SEC. 205 PREMPTS NOTWITHSTANDING SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996 (PUBLIC LAW 21 104–104) OR ANY OTHER PROVISION OF LAW, A STATE OR LOCAL GOVERNMENT MAY NOT DENY, AND SHALL APPROVE, ANY ELIGIBLE FACILITIES REQUEST FOR A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT DOES NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF SUCH TOWER.	SEC. 213 PREMPTS, BUT LIMITS TO D-BLOCK NOTWITHSTANDING SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996 (PUBLIC LAW 21 104–104) OR ANY OTHER PROVISION OF LAW, A STATE OR LOCAL GOVERNMENT MAY NOT DENY, AND SHALL APPROVE, ANY ELIGIBLE FACILITIES REQUEST FOR A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT DOES NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF SUCH TOWER. BUT, LIMITS REQUIREMENTS TO REQUESTS MADE BY ENTITIES THAT ENTER INTO CONTRACTS WITH THE CORPORATION TO CONSTRUCT, MANAGE, MAINTAIN, OR OPERATE THE PUBLIC SAFETY BROADBAND NETWORK TO PERFORM WORK UNDER SUCH CONTRACT.	SEC 528 – PREMPTS NOTWITHSTANDING SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996 (PUBLIC LAW 21 104–104) OR ANY OTHER PROVISION OF LAW, A STATE OR LOCAL GOVERNMENT MAY NOT DENY, AND SHALL APPROVE, ANY ELIGIBLE FACILITIES REQUEST FOR A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT DOES NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF SUCH TOWER	NO PROVISION