

(§§6501-6509) of title VI of Pub. L. 112-96, enacting sections 1471 to 1473 of this title and amending section 942 of this title] may be cited as the ‘Next Generation 9-1-1 Advancement Act of 2012’.”

§ 1402. Rule of construction

Each range of frequencies described in this chapter shall be construed to be inclusive of the upper and lower frequencies in the range.

(Pub. L. 112-96, title VI, §6002, Feb. 22, 2012, 126 Stat. 204.)

§ 1403. Enforcement

(a) In general

The Commission shall implement and enforce this chapter as if this chapter is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this chapter, or a regulation promulgated under this chapter, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.

(b) Exceptions

(1) Other agencies

Subsection (a) does not apply in the case of a provision of this chapter that is expressly required to be carried out by an agency (as defined in section 551 of title 5) other than the Commission.

(2) NTIA regulations

The Assistant Secretary may promulgate such regulations as are necessary to implement and enforce any provision of this chapter that is expressly required to be carried out by the Assistant Secretary.

(Pub. L. 112-96, title VI, §6003, Feb. 22, 2012, 126 Stat. 204.)

REFERENCES IN TEXT

The Communications Act of 1934, referred to in subsec. (a), is act June 19, 1934, ch. 652, 48 Stat. 1064, which is classified principally to chapter 5 (§ 151 et seq.) of this title. For complete classification of this Act to the Code, see section 609 of this title and Tables.

§ 1404. National security restrictions on use of funds and auction participation

(a) Use of funds

No funds made available by subchapter II or III may be used to make payments under a contract to a person described in subsection (c).

(b) Auction participation

A person described in subsection (c) may not participate in a system of competitive bidding under section 309(j) of this title—

(1) that is required to be conducted by this chapter; or

(2) in which any spectrum usage rights for which licenses are being assigned were made available under clause (i) of subparagraph (G) of paragraph (8) of such section, as added by section 6402.

(c) Person described

A person described in this subsection is a person who has been, for reasons of national security, barred by any agency of the Federal Gov-

ernment from bidding on a contract, participating in an auction, or receiving a grant.

(Pub. L. 112-96, title VI, §6004, Feb. 22, 2012, 126 Stat. 205.)

REFERENCES IN TEXT

Section 6402, referred to in subsec. (b)(2), is section 6402 of Pub. L. 112-96, which amended section 309 of this title.

SUBCHAPTER I—REALLOCATION OF PUBLIC SAFETY SPECTRUM

§ 1411. Reallocation of D block to public safety

(a) In general

The Commission shall reallocate the 700 MHz D block spectrum for use by public safety entities in accordance with the provisions of this chapter.

(b) Omitted

(Pub. L. 112-96, title VI, §6101, Feb. 22, 2012, 126 Stat. 205.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, and was translated as reading “this title”, meaning title VI of Pub. L. 112-96, Feb. 22, 2012, 126 Stat. 201, to reflect the probable intent of Congress. Title VI enacted this chapter and section 929 of this title, amended sections 309, 337, 614, 902, 923, 928, and 942 of this title, and enacted provisions set out as a note under section 1401 of this title.

CODIFICATION

Section is comprised of section 6101 of Pub. L. 112-96. Subsec. (b) of section 6101 of Pub. L. 112-96 amended section 337 of this title.

§ 1412. Flexible use of narrowband 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.

(Pub. L. 112-96, title VI, §6102, Feb. 22, 2012, 126 Stat. 205.)

§ 1413. 470-512 MHz public safety spectrum

(a) In general

Not later than 9 years after February 22, 2012, the Commission shall—

(1) reallocate the spectrum in the 470-512 MHz band (referred to in this section as the “T-Band spectrum”) currently used by public safety eligibles as identified in section 90.303 of title 47, Code of Federal Regulations; and

(2) begin a system of competitive bidding under section 309(j) of this title to grant new initial licenses for the use of the spectrum described in paragraph (1).

(b) Auction proceeds

Proceeds (including deposits and upfront payments from successful bidders) from the competitive bidding system described in subsection (a)(2) shall be available to the Assistant Secretary to make grants in such sums as necessary to cover relocation costs for the relocation of public safety entities from the T-Band spectrum.