

REFERENCES IN TEXT

The Broadband Data Improvement Act, referred to in subsec. (k)(3), is title I of Pub. L. 110-385, Oct. 10, 2008, 122 Stat. 4096, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of this title and Tables.

CODIFICATION

Section was enacted as part of the American Recovery and Reinvestment Act of 2009, and not as part of the Broadband Data Improvement Act which comprises this chapter.

CHAPTER 13—PUBLIC SAFETY COMMUNICATIONS AND ELECTROMAGNETIC SPECTRUM AUCTIONS

- Sec.
- 1401. Definitions.
- 1402. Rule of construction.
- 1403. Enforcement.
- 1404. National security restrictions on use of funds and auction participation.

SUBCHAPTER I—REALLOCATION OF PUBLIC SAFETY SPECTRUM

- 1411. Reallocation of D block to public safety.
- 1412. Flexible use of narrowband spectrum.
- 1413. 470–512 MHz public safety spectrum.

SUBCHAPTER II—GOVERNANCE OF PUBLIC SAFETY SPECTRUM

- 1421. Single public safety wireless network license.
- 1422. Public safety broadband network.
- 1423. Public safety Interoperability Board.
- 1424. Establishment of the First Responder Network Authority.
- 1425. Advisory committees of the First Responder Network Authority.
- 1426. Powers, duties, and responsibilities of the First Responder Network Authority.
- 1427. Initial funding for the First Responder Network Authority.
- 1428. Permanent self-funding; duty to assess and collect fees for network use.
- 1429. Audit and report.
- 1430. Annual report to Congress.
- 1431. Public safety roaming and priority access.
- 1432. Prohibition on direct offering of commercial telecommunications service directly to consumers.
- 1433. Provision of technical assistance.

SUBCHAPTER III—PUBLIC SAFETY COMMITMENTS

- 1441. State and Local Implementation Fund.
- 1442. State and local implementation.
- 1443. Public safety wireless communications research and development.

SUBCHAPTER IV—SPECTRUM AUCTION AUTHORITY

- 1451. Deadlines for auction of certain spectrum.
- 1452. Special requirements for incentive auction of broadcast TV spectrum.
- 1453. Unlicensed use in the 5 GHz band.
- 1454. Guard bands and unlicensed use.
- 1455. Wireless facilities deployment.
- 1456. System certification.
- 1457. Public Safety Trust Fund.

SUBCHAPTER V—NEXT GENERATION 9–1–1 ADVANCEMENT ACT OF 2012

- 1471. Definitions.
- 1472. Parity of protection for provision or use of Next Generation 9–1–1 services.
- 1473. Commission proceeding on autodialing.

§ 1401. Definitions

In this chapter:

(1) 700 MHz band

The term “700 MHz band” means the portion of the electromagnetic spectrum between the frequencies from 698 megahertz to 806 megahertz.

(2) 700 MHz D block spectrum

The term “700 MHz D block spectrum” means the portion of the electromagnetic spectrum between the frequencies from 758 megahertz to 763 megahertz and between the frequencies from 788 megahertz to 793 megahertz.

(3) Appropriate committees of Congress

Except as otherwise specifically provided, the term “appropriate committees of Congress” means—

- (A) the Committee on Commerce, Science, and Transportation of the Senate; and
- (B) the Committee on Energy and Commerce of the House of Representatives.

(4) Assistant Secretary

The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(5) Board

The term “Board” means the Board of the First Responder Network Authority established under section 1424(b) of this title.

(6) Broadcast television licensee

The term “broadcast television licensee” means the licensee of—

- (A) a full-power television station; or
- (B) a low-power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.

(7) Broadcast television spectrum

The term “broadcast television spectrum” means the portions of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, from 174 megahertz to 216 megahertz, and from 470 megahertz to 698 megahertz.

(8) Commercial mobile data service

The term “commercial mobile data service” means any mobile service (as defined in section 153 of this title) that is—

- (A) a data service;
- (B) provided for profit; and
- (C) available to the public or such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission.

(9) Commercial mobile service

The term “commercial mobile service” has the meaning given such term in section 332 of this title.

(10) Commercial standards

The term “commercial standards” means the technical standards followed by the commercial mobile service and commercial mobile