

Section 1106, Pub. L. 106-553, §1(a)(2) [title X, §1007], Dec. 21, 2000, 114 Stat. 2762, 2762A-138, related to improved cellular service in rural areas.

Section 1107, Pub. L. 106-553, §1(a)(2) [title X, §1009], Dec. 21, 2000, 114 Stat. 2762, 2762A-140, related to the sunset for approval of loan guarantees, which was Dec. 31, 2006.

Section 1108, Pub. L. 106-553, §1(a)(2) [title X, §1010], Dec. 21, 2000, 114 Stat. 2762, 2762A-140, related to definitions.

Section 1109, Pub. L. 106-553, §1(a)(2) [title X, §1011], Dec. 21, 2000, 114 Stat. 2762, 2762A-141; Pub. L. 107-171, title VI, §6404(a), May 13, 2002, 116 Stat. 429, related to authorizations of appropriations.

Section 1110, Pub. L. 106-553, §1(a)(2) [title X, §1012], Dec. 21, 2000, 114 Stat. 2762, 2762A-141, related to prevention of interference to direct broadcast satellite services.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 106-553, §1(a)(2) [title X, §1001], Dec. 21, 2000, 114 Stat. 2762, 2762A-128, which provided that title X of H.R. 5548, as enacted by section 1(a)(2) of Pub. L. 106-553, which enacted former chapter X and amended section 339 of this title, could be cited as the “Launching Our Communities’ Access to Local Television Act of 2000”, was repealed by Pub. L. 115-334, title VI, §6603(2), Dec. 20, 2018, 132 Stat. 4777.

CHAPTER 11—COMMERCIAL MOBILE SERVICE ALERTS

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§ 1201. Federal Communications Commission duties

(a) Commercial mobile service alert regulations

Within 180 days after the date on which the Commercial Mobile Service Alert Advisory Committee, established pursuant to section 1202(a) of this title, transmits recommendations to the Federal Communications Commission, the Commission shall complete a proceeding to adopt relevant technical standards, protocols, procedures, and other technical requirements based on the recommendations of such Advisory Committee necessary to enable commercial mobile service alerting capability for commercial mobile service providers that voluntarily elect to transmit emergency alerts. The Commission shall consult with the National Institute of Standards and Technology regarding the adoption of technical standards under this subsection.

(b) Commercial mobile service election

(1) Amendment of commercial mobile service license

Within 120 days after the date on which the Federal Communications Commission adopts relevant technical standards and other technical requirements pursuant to subsection (a), the Commission shall complete a proceeding—

(A) to allow any licensee providing commercial mobile service (as defined in section

332(d)(1) of this title) to transmit emergency alerts to subscribers to, or users of, the commercial mobile service provided by such licensee;

(B) to require any licensee providing commercial mobile service that elects, in whole or in part, under paragraph (2) not to transmit emergency alerts to provide clear and conspicuous notice at the point of sale of any devices with which its commercial mobile service is included, that it will not transmit such alerts via the service it provides for the device; and

(C) to require any licensee providing commercial mobile service that elects under paragraph (2) not to transmit emergency alerts to notify its existing subscribers of its election.

(2) Election

(A) In general

Within 30 days after the Commission issues its order under paragraph (1), each licensee providing commercial mobile service shall file an election with the Commission with respect to whether or not it intends to transmit emergency alerts.

(B) Transmission standards; notification

If a licensee providing commercial mobile service elects to transmit emergency alerts via its commercial mobile service, the licensee shall—

- (i) notify the Commission of its election; and
- (ii) agree to transmit such alerts in a manner consistent with the technical standards, protocols, procedures, and other technical requirements implemented by the Commission.

(C) No fee for service

A commercial mobile service licensee that elects to transmit emergency alerts may not impose a separate or additional charge for such transmission or capability.

(D) Withdrawal; late election

The Commission shall establish a procedure—

- (i) for a commercial mobile service licensee that has elected to transmit emergency alerts to withdraw its election without regulatory penalty or forfeiture upon advance written notification of the withdrawal to its affected subscribers;
- (ii) for a commercial mobile service licensee to elect to transmit emergency alerts at a date later than provided in subparagraph (A); and
- (iii) under which a subscriber may terminate a subscription to service provided by a commercial mobile service licensee that withdraws its election without penalty or early termination fee.

(E) Consumer choice technology

Any commercial mobile service licensee electing to transmit emergency alerts may offer subscribers the capability of preventing the subscriber’s device from receiving such alerts, or classes of such alerts, other than an alert issued by—