

H.R. 3630: Middle Class Tax Relief and Job Creation Act of 2012
 Title VI: Public Safety Communications and Electromagnetic Spectrum Auctions

Section	Section Title	Summary
6001 - Definitions	700 MHz Spectrum	<ul style="list-style-type: none"> Includes frequencies: 698-806 MHz
	700 MHz D Block Spectrum	<ul style="list-style-type: none"> Includes frequencies: 758-763 MHz and 788-793 MHz
	Existing Public Safety Broadband Spectrum	<ul style="list-style-type: none"> Includes frequencies: 763-768 MHz; 793-798 MHz; 768-769 MHz; and 798-799 MHz
	Narrowband Spectrum	<ul style="list-style-type: none"> Includes frequencies: 769-775 MHz and 799-805 MHz
	Interoperability Board	<ul style="list-style-type: none"> Technical Advisory Board for First Responder Interoperability (Interoperability Board), established within the Federal Communications Commission (FCC) to develop interoperability requirements for the Nationwide Public Safety Broadband Network (NPSBN)
	Next Generation 9-1-1 (NG9-1-1) Services	<ul style="list-style-type: none"> An Internet Protocol (IP)-based system comprised of hardware, software, data, and operational policies and procedures that: <ul style="list-style-type: none"> Provides standardized interfaces from emergency call and message services to support emergency communications Processes emergency calls, including voice, text, data, and multimedia information Acquires and integrates additional emergency call data useful to call routing and handling Delivers the emergency calls, messages, and data to the appropriate public safety answering point (PSAP) and other appropriate emergency entities Supports data or video communications needs for coordinated incident response and management Provides broadband service to PSAPs or other first responder entities
	Public Safety Services	<ul style="list-style-type: none"> Includes public safety services by Federal, State, and local governmental and non-governmental emergency public safety, fire, law enforcement, emergency response, emergency medical (including hospital emergency facilities), related personnel, agencies, and authorities, and authorized nongovernmental organizations
	Commercial Standards	<ul style="list-style-type: none"> Technical standards followed by commercial mobile service industries for network, device, and IP connectivity Includes those developed by the Third Generation Partnership Project (3GPP), the Institute of Electrical and Electronics Engineers (IEEE), the Alliance for Telecommunications Industry Solutions (ATIS), the Internet Engineering Task Force (IETF), and the International Telecommunication Union (ITU)
6003	Enforcement	<ul style="list-style-type: none"> The FCC retains its normal Communications Act implementation and enforcement powers for this Title, except where specific responsibilities have been assigned to another agency The National Telecommunications and Information Administration (NTIA) has the power to adopt regulations to implement and enforce any provision for which it has specific responsibility
6004	National Security Restrictions	<ul style="list-style-type: none"> Persons barred for national security reasons by Federal agencies from bidding on contracts, participating in auctions or receiving grants may not participate in auctions, receipt of funds or research authorized by this Titles

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Subtitle A: Reallocation of Public Safety Spectrum		
6101	D Block Reallocation	<ul style="list-style-type: none"> The FCC is to reallocate the D Block for use by public safety entities
6102	Flexible Use of Narrowband Spectrum	<ul style="list-style-type: none"> The FCC may allow flexible use of 700 MHz narrowband spectrum for public safety broadband communications, subject to FCC technical and interference protection measures
6103	470-512 MHz Public Safety Spectrum	<ul style="list-style-type: none"> The FCC is to reallocate and begin auctioning the 470-512 MHz T-Band spectrum currently used by public safety entities no later than 9 years after enactment Auction revenues may be used by NTIA for grants needed to cover costs for relocating public safety entities from the T-Band Relocation is to be completed no later than 2 years after these auctions are completed
Subtitle B: Governance of Public Safety Spectrum		
6201	Single Public Safety Wireless Network Licensee	<ul style="list-style-type: none"> The FCC is to grant a single license to the FirstNet (covering the reallocated D Block and existing public safety broadband spectrum) for an initial term of 10 years Subsequent renewals of this license are to be for terms of not more than 10 years, based upon a demonstration by FirstNet that it has met its duties and obligations during its previous term The FCC is to take all actions necessary to facilitate the transition of the existing public safety broadband spectrum to FirstNet
6202	Public Safety Broadband Network	<ul style="list-style-type: none"> A Nationwide Public Safety Broadband Network (NPSBN) is to be established by FirstNet; this Network is to: <ul style="list-style-type: none"> Be based on a single, national network architecture that evolves with technological advancements Initially consist of: <ul style="list-style-type: none"> A core network with national and regional data centers and other elements and functions, which may be distributed geographically <ul style="list-style-type: none"> Based on commercial standards Provides connectivity between the radio access network (RAN) and the public Internet, the public switched network or both A RAN <ul style="list-style-type: none"> Consists of cell site equipment, antennas, and backhaul equipment, based on commercial standards, needed to enable wireless communications with devices using the public safety broadband spectrum, and Built and operated using State, local, and tribal planning funded by the State and Local Implementation Grant Program

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6203	Interoperability Board Members	<ul style="list-style-type: none"> • An Interoperability Board is established within the FCC, which is exempt from the Federal Advisory Committee Act (FACA) <ul style="list-style-type: none"> ○ Consists of 15 members ,with 14 voting members appointed by the FCC and 1 non-voting member appointed by NTIA ○ Voting members are to include representatives of: <ul style="list-style-type: none"> ▪ Public safety entities (4 total, with at least 1 from management and 1 from employee ranks) ▪ State and local governments, reflecting a range of geographic and population perspectives (3 total) ▪ Wireless providers (4 total; 2 from national companies, 1 from a regional company, and 1 from a rural company) ▪ Equipment manufacturers (3 total) • All members are to have technical, public safety, and/or commercial network expertise • Members select their chairman and vice chairman
6203	Interoperability Board Duties	<ul style="list-style-type: none"> • Within 90 days of enactment, the Interoperability Board, in consultation with the DHS Office of Emergency Communications (OEC), NTIA, and the National Institute of Standards and Technology (NIST), is to develop recommended minimum technical requirements, based on the Long Term Evolution (LTE) standard, to ensure nationwide interoperability for the Network and submit these recommendations to the FCC for review and approval • Within 30 days of receipt, the FCC must approve the recommendations (making any revisions it determines are necessary) and transmit them to FirstNet • The Board terminates 15 days after the FCC transmits these approved/revised recommendations to FirstNet
6204	Establishment of FirstNet - Members	<ul style="list-style-type: none"> • FirstNet is established as an independent authority within NTIA, with a board of 15 voting members, which are to be appointed within 180 days of enactment <ul style="list-style-type: none"> ○ 3 permanent Federal Members: Secretary of the Department of Homeland Security (DHS), the Attorney General of the U.S., and the Director of the Office of Management and Budget (OMB) ○ The Secretary of the Department of Commerce (Commerce) shall appoint the 12 other members, ensuring geographic, regional, rural and urban representation among the appointments; at least 3 appointed members must have served as public safety professionals and at least 3 must represent the collective interests of State, local, tribal and territorial governments ○ All appointed members are to have experience in at least one of the following categories: <ul style="list-style-type: none"> ▪ Use of Federal, State, local, or tribal public safety or emergency response ▪ Technical expertise in broadband communications, including public safety communications (at least 1 member) ▪ Commercial telecommunications network expertise (at least 1 member) ▪ Financing and funding telecommunications networks (at least 1 member) • Appointed Board members may serve no more than two consecutive 3-year terms; initial appointees will have staggered terms

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Section	Section Title	Summary
6204	FirstNet Board Meetings	<ul style="list-style-type: none"> • Board Chair selected by Commerce from among the appointed members; serves as Chair for no more than two consecutive 2-year terms • Board meets at the call of the Chair; at least once each quarter • All meetings open to the public; meetings may be closed with majority Board vote, for consideration of privileged financial, commercial, legal, or personnel matters • Board Quorum – 8 (at least 6 must be appointed members)
6205	Advisory Committees of the FirstNet	<ul style="list-style-type: none"> • FirstNet is to establish a standing public safety advisory committee, and may appoint additional advisory committees to assist with duties and additional standing or ad-hoc committees • FirstNet agents, consultants, or experts must be selected in a fair, transparent and objective manner
6206	Powers and Duties of FirstNet	<ul style="list-style-type: none"> • FirstNet is authorized to: <ul style="list-style-type: none"> ○ Hold hearings, take testimony, and receive evidence necessary to carry out its duties ○ Obtain grants and funding, and enter into contracts ○ Accept and use gifts, donations, and bequests of property ○ Spend funds and take actions consistent with this legislation and as authorized by the Board

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6206	FirstNet Responsibilities for Network Deployment and Operations	<ul style="list-style-type: none"> • FirstNet is to: <ul style="list-style-type: none"> ○ Hold the single public safety broadband wireless license ○ Take “all actions” needed to ensure the construction, deployment, and operation of the NPSBN, in consultation with Federal, State, local, and tribal public safety entities, NIST, FCC, and the FirstNet advisory committee; at a minimum, these actions include: <ul style="list-style-type: none"> ▪ Ensuring nationwide standards for NPSBN use and access ▪ Issuing open, transparent, and competitive requests for proposal (RFP) for private sector entities for NPSBN build-out and operation, using the FCC-approved minimum technical requirements, and which leverage existing commercial wireless infrastructure ▪ Managing and overseeing contracts with non-Federal entities to build, operate and maintain the NPSBN • FirstNet also must: <ul style="list-style-type: none"> ○ Ensure the safety and resiliency of the NPSBN, including protecting and monitoring against cyber attacks ○ Promote competition in the equipment market (including for public safety devices) by requiring that equipment used on/for the NPSBN: <ul style="list-style-type: none"> ▪ Built to open, non-proprietary commercial standards ▪ Capable of use by any public safety entity and by multiple vendors across public safety networks in the 700 MHz band ▪ Backward compatible with existing commercial networks, to the extent necessary and technologically and economically reasonable ○ Promote integration of the Network with PSAPs ○ Address special considerations for areas with unique homeland security/national security needs ○ Establish Network deployment phases that include substantial rural coverage milestones for each phase of Network construction and deployment ○ Partner with existing commercial mobile providers to utilize cost effective opportunities to speed rural deployment
6206	FirstNet - Execution of Authority	<ul style="list-style-type: none"> • FirstNet may: <ul style="list-style-type: none"> ○ Obtain grants from and make contracts with individuals, private entities and Federal, State, regional and local agencies ○ Use the services of consultants, experts, advisory boards and panels ○ Receive user fees for use of licensed Network capacity or Network infrastructure licensed, constructed, owned, or operated by FirstNet ○ Take other actions needed to deploy and operate the Network

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6206	FirstNet - Establishment of Network Policies	<ul style="list-style-type: none"> • FirstNet is to develop the following Network policies: <ul style="list-style-type: none"> ○ RFPs including construction/deployment timetables, coverage areas, service levels, and performance criteria ○ Technical and operational requirements ○ Procedures and standards for management and operation of the Network ○ Terms of service including billing practices ○ Ongoing compliance review and monitoring to include network management and operation, entity and personnel procedures for operation and personnel using the Network, and training needs for Network operators and users
6206	FirstNet - Consultation with States and Local Jurisdictions	<ul style="list-style-type: none"> • FirstNet is to consult with regional, State, tribal and local jurisdictions on the distribution and expenditure of any amounts required to carry out the establishment of Network policies including: <ul style="list-style-type: none"> ○ Construction of a core network and any RAN build out ○ Placement of towers and coverage areas of the Network ○ Adequacy of hardening, security, reliability and resiliency requirements ○ Assignment of priority to local users and selection of entities seeking access ○ Training local users • Consultation is to occur between FirstNet and State-designated officer
6206	FirstNet - Leveraging Existing Infrastructure	<ul style="list-style-type: none"> • FirstNet is to enter into agreements to maximize: <ul style="list-style-type: none"> ○ Commercial or other communications infrastructure ○ Federal, State, tribal, or local infrastructure
6206	FirstNet - Maintenance and Upgrades	<ul style="list-style-type: none"> • FirstNet is to ensure the maintenance, operation, and improvement of the NPSBN and ensure the revision of any Network policies accounting for new and existing technologies
6206	FirstNet - Roaming Agreements	<ul style="list-style-type: none"> • FirstNet is to enter into agreements, as appropriate, with commercial network providers for public safety roaming and prioritization on commercial networks during emergencies
6206	FirstNet - Certified Devices, Standards	<ul style="list-style-type: none"> • NIST, with FirstNet and the FCC, is to ensure the development of a list of certified devices and components, meeting protocols and standards for public safety entities and commercial vendors to adhere to – for use, access, or compatibility with the NPSBN • FirstNet, with NIST, FCC, and the public safety advisory committee, is to represent NPSBN users before standards bodies on development of interoperability standards
6206	FirstNet- Exemption from Certain Laws	<ul style="list-style-type: none"> • FirstNet actions or decisions are to be exempt from Paperwork Reduction Act (PRA), Administrative Procedures, Act, and Regulatory Flexibility Act
6206	FirstNet - Network Construction Fund	<ul style="list-style-type: none"> • \$7B to the Network Construction Fund, which FirstNet is to use to carry out all responsibilities except administrative ones • Can be used by NTIA to make grants to States that opt out of the NPSBN and seek to build their own State RANs

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6206	FirstNet - Termination of Authority	<ul style="list-style-type: none"> • FirstNet authority is to terminate 15 years after enactment
6206	FirstNet - GAO Report	<ul style="list-style-type: none"> • GAO is to submit a report to Congress 10 years after enactment on how Congress should address the 15 year expiration of FirstNet's authority
6207	Initial Funding for FirstNet	<ul style="list-style-type: none"> • NTIA may borrow up to \$2B for initial expenses, interest-free, for FirstNet and eventually reimburse the Treasury • FirstNet's administrative expenses must not exceed \$100M over 10 years beginning upon enactment and do not include oversight and audit expenses
6208	FirstNet - Self-Funding and User Fees	<ul style="list-style-type: none"> • FirstNet is authorized to assess and collect fees from each user that seeks to access or use the Network as well as lease fees for both Network capacity and FirstNet equipment or infrastructure <ul style="list-style-type: none"> ○ Network capacity lease fees result from covered lease agreements, which are written agreements for a public-private arrangement to construct, manage, and operate the NPSBN between FirstNet and secondary users; covered leases include: <ul style="list-style-type: none"> ▪ Access to Network capacity on a secondary basis for non-public safety services ▪ Access to FirstNet's allocated spectrum for commercial transmissions along the dark fiber of the long-haul network ○ Equipment and infrastructure lease fees result from any entity seeking access to or use of equipment or infrastructure owned by FirstNet as a result of the public-private arrangement to construct, manage, and operate the NPSBN • Fees are not to exceed total expenses necessary for the governance provisions in the Subtitle • NTIA is to review and approve such fees each year before FirstNet can assess them • FirstNet is to invest all fees in the construction, operation, maintenance, and improvement of the NPSBN
6209	FirstNet - Audits	<ul style="list-style-type: none"> • Commerce is to contract with an independent auditor to conduct annual audits of FirstNet for submission to Congress, the President, and FirstNet
6210	FirstNet - Annual Report to Congress	<ul style="list-style-type: none"> • FirstNet is to submit annual Congressional reports on progress, accomplishments, financial conditions, and legislative/regulatory recommendations • FirstNet employees and Board members are able to testify before Congress on annual reports, audits, and other matters

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6211	Public Safety Roaming and Priority Access	<ul style="list-style-type: none"> • The FCC may adopt rules to improve the ability of public safety networks to roam onto commercial networks and gain priority access to commercial networks in an emergency if: <ul style="list-style-type: none"> ○ Public safety entity equipment is technically compatible with the commercial network ○ Commercial network is reasonably compensated ○ Such access does not preempt or otherwise terminate or degrade all existing voice conversations or data sessions
6212	Prohibit Offering Commercial Service	<ul style="list-style-type: none"> • FirstNet is not to provide or market commercial telecommunications or information services directly to consumers • FirstNet is not prohibited from entering into covered leasing agreements with secondary users or collecting lease fees for Network equipment and infrastructure use
6213	Technical Assistance	<ul style="list-style-type: none"> • The FCC may provide technical assistance to FirstNet and may take any action necessary to assist FirstNet
Subtitle C: Public Safety Commitments		
6301	State and Local Implementation Fund	<ul style="list-style-type: none"> • Establishes a State and Local Implementation Fund in the Treasury • NTIA may borrow no more than \$135 million interest-free from Treasury prior to the end of FY22 • NTIA is to reimburse Treasury as funds are deposited into the State and Local Implementation Fund • Remaining funds shall revert to Treasury for deficit reduction after FY22
6302	State and Local Implementation – Grants and Matching Requirements	<ul style="list-style-type: none"> • NTIA, with FirstNet, is to establish a grant program to assist State, regional, tribal, and local jurisdictions to identify, plan and implement infrastructure, equipment, and other architecture • The Federal share of each grant may not exceed 80 percent of the eligible cost; NTIA may grant waivers of the State and local match requirement • NTIA with FirstNet is to establish programmatic requirements no later than 6 months of enactment that define eligible costs, determine scope of eligible grant activities, and prioritize grants for activities that ensure both rural and urban coverage
6302	State and Local Implementation – Certification of Officer or Governmental Body	<ul style="list-style-type: none"> • Each State must certify that it has designated a single officer or governmental body to coordinate the implementation of grant funds

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6302	State and Local Implementation – State “Opt Out”	<ul style="list-style-type: none"> • Upon FirstNet’s completion of NPSBN construction and operation RFPs, FirstNet is to provide each Governor: <ul style="list-style-type: none"> ○ Notice of completion of the RFP process ○ Details of the proposed plan for Network build out ○ Funding level for the State as determined by NTIA • States have 90 days to decide whether to participate in NPSBN deployment or build their own RAN <ul style="list-style-type: none"> ○ States that opt-out are to notify FirstNet, NTIA, and the FCC; and ○ No later than 180 days of providing notification, the State is to develop and complete RFPs for constructing, maintaining, and operating the State RAN ○ The State is to submit an alternative plan to the FCC for the construction, maintenance, and operation of the State RAN and demonstrate that it will comply with the Interoperability Board’s minimum technical requirements and be interoperable with the NPSBN ○ If the FCC approves the plan, the State may apply to NTIA for a grant to construct the State RAN and to lease spectrum capacity from FirstNet; to receive NTIA grant funding for a State RAN, a State is to demonstrate to FirstNet that it has: <ul style="list-style-type: none"> ▪ The technical capabilities to operate and funding to support its RAN ▪ The ability to maintain interoperability with the Network ▪ The ability to complete the project within a specific timeline ▪ A Cost-effective plan ▪ Comparable security, coverage, and quality of service ○ If the FCC disapproves the plan, the State is to proceed with build-out under the FirstNet plan ○ If a State chooses to build its own RAN, the State must pay any user fees associated with State use of core Network elements
6302	State and Local Implementation – Commercial Use of State RAN	<ul style="list-style-type: none"> • States that choose to build their own RANs are not to provide commercial service to consumers or offer wholesale leasing capacity except by public-private partnerships for Network construction, maintenance, operation, and improvement of the State RAN • States may enter into covered leasing agreements with secondary users; revenue raised from lease is to only be used for Network construction, maintenance, operation, or improvement of the State RAN
6302	Judicial Review	<ul style="list-style-type: none"> • The U.S. District Court for the District of Columbia is to have exclusive jurisdiction to review an FCC decision disapproving a State’s alternative plan and reaffirm the decision unless: <ul style="list-style-type: none"> ○ Decision procured by corruption, fraud, or undue means ○ Actual partiality or corruption in the FCC ○ The FCC was guilty of misconduct in refusing to hear pertinent and material evidence or of any other misbehavior prejudicial to a party

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6303	Research and Development	<ul style="list-style-type: none"> • NIST, with the FCC, Secretary of DHS, and the National Institute of Justice of Department of Justice (DOJ), is to conduct research and assist with the development of standards, technologies, and applications to advance wireless public safety communications • NIST, with FirstNet and its public safety advisory committee, is to: <ul style="list-style-type: none"> ○ Document public safety wireless communications technical requirements ○ Accelerate development of the capability for communications between currently deployed public safety narrowband systems and the NPSBN ○ Establish a research plan and direct research for future wireless communication needs ○ Accelerate development of mission critical voice capabilities, including device-to-device “talkaround” capability over broadband networks, public safety prioritization, authentication, and standard application programming interfaces for the NPSBN ○ Accelerate development of technology to facilitate migration of public safety narrowband communications to NPSBN; and ○ Convene working groups of public and private entities to achieve the requirements listed above
Subtitle D: Spectrum Auction Authority		
6401	Deadlines for Auction of Certain Spectrum	<ul style="list-style-type: none"> • Not later than 3 years of enactment, the President must begin the process of clearing the 165 MHz of spectrum identified for reallocation between 1675 MHz and 1710 MHz and within 30 days of clearance, notify the FCC of completion • Within 1 year of enactment, Commerce must submit to the President a report identifying the 15 MHz of spectrum between 1675 and 1710 MHz for reallocation • Within 3 years of enactment, FCC must allocate for commercial use and auction: <ul style="list-style-type: none"> ○ 1915-1920 MHz; ○ 1995-2000 MHz; ○ 2155-2180 MHz; ○ The 15 MHz between 1675-1710 MHz to be identified by Commerce; and ○ 15 MHz of contiguous spectrum identified by the FCC at a later date • The FCC cannot proceed with the auction if the FCC determines that auctioning 1915-1920 MHz and 1995-2000 MHz would interfere with commercial mobile operations in 1930-1995 MHz • Portions of the auction proceeds are to fund the Spectrum Relocation Fund to assist Federal agency relocation; remaining proceeds go to the Public Safety Trust Fund

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6402	General Authority for Incentive Auctions	<ul style="list-style-type: none"> • The FCC is authorized to hold incentive auctions via reverse auctions through 2022 • The TV Broadcaster Relocation Fund is to receive a \$1.75B deposit; remaining funds go to the Public Safety Trust Fund until FY22; after FY22, remaining funds from the Public Safety Trust Fund are to be dedicated solely for deficit reduction • The FCC with OMB must inform Congress of its methodology for calculating amounts shared with licensees 3 months before each auction starts
6403	Special Requirements for Incentive Auction of TV Spectrum	<ul style="list-style-type: none"> • The FCC is authorized to conduct a voluntary reverse auction to determine the amount that the TV broadcast licensee would receive for relinquishing all or part of their spectrum
6404	Conditions on Auction Participation Prohibited	<ul style="list-style-type: none"> • The FCC may impose auction rules of general applicability but may not prevent participation in the auction if they comply with all auction procedures and laws
6405	Extension of Auction Authority	<ul style="list-style-type: none"> • The FCC's auction authority is extended until 2022
6406	Unlicensed Use in the 5 GHz Band	<ul style="list-style-type: none"> • The FCC is to begin a proceeding to allow unlicensed use in the 5.35-5.47 GHz band protecting licensed and Federal users and to revise rules to allow use no later than 1 year after enactment • Such use is only allowed if the FCC, with NTIA, determines: <ul style="list-style-type: none"> ○ Licensed users will be protected ○ The introduction of unlicensed devices will not interfere with the primary mission of Federal users in 5.35-5.47 GHz • NTIA, with the Department of Defense and other impacted agencies, is to conduct a study evaluating known and proposed spectrum-sharing technologies and the risk to Federal users of unlicensed use in the 5.35-5.47 GHz (within 8 months) and 5.85-5.925 GHz (within 18 months) bands and submit results to the FCC and Congress
6407	Guard Bands and Unlicensed Use	<ul style="list-style-type: none"> • The FCC is to create guard bands and may permit use of the guard bands for allowed unlicensed use • Unlicensed use is to rely on a database or methodology determined by the FCC
6408	Study on Receiver Performance and Spectrum Efficiency	<ul style="list-style-type: none"> • The Government Accountability Office (GAO) is to perform a study, and deliver to Congress within 1 year of enactment, on all radio frequency (RF) transmission systems including telecommunications, broadcast, satellite, commercial mobile to ensure systems are not affected by “reasonable use” of adjacent spectrum • Report is to cover: <ul style="list-style-type: none"> ○ The value of improving receiver performance as it relates to spectral efficiency issues; improving operations in adjacent spectrum; narrowing guard bands between adjacent spectrum; ○ The role of manufacturers, commercial licensees, and government users regarding transmission systems; ○ The Feasibility of industry self-compliance on t design and operational requirements of transmission systems and reasonable use of adjacent spectrum; and ○ The value of FCC and NTIA in establishing technical requirements or standards for adjacent spectrum use

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6409	Wireless Facilities Deployment	<ul style="list-style-type: none"> • State and local governments are to approve any “eligible” existing wireless infrastructure modifications if there are no significant physical dimension changes. “Eligible” means requests to modify existing wireless facilities including: <ul style="list-style-type: none"> ○ Collocation of new transmission equipment; ○ Removal of transmission of equipment; or ○ Replacement of transmission equipment • The Federal Government main grant easements to allow for the installation, construction, and maintenance of wireless equipment on Federal Government property. • The General Services Administration (GSA) may assess fees to cover easement costs • Within 60 days of enactment, GSA is to develop master contract(s) to govern placement of wireless infrastructure on Federal property
6410	NTIA Responsibility to Ensure Spectrum Efficiency	<ul style="list-style-type: none"> • NTIA is authorized to ensure efficient use of Federal spectrum
6411	System Certification	<ul style="list-style-type: none"> • Not later than 6 months of enactment, OMB is to update and revise section 33.4 of OMB Circular A–11 to reflect the recommendations of the Commerce Spectrum Management Advisory Committee Incentive Subcommittee report
6412	Deployment of 11, 18, and 23 GHz Bands	<ul style="list-style-type: none"> • No later than 9 months after enactment, the FCC is to submit a report to Congress on the rejection rate for spectrum from 10.7-11.7, 17.7-19.7, and 21.2 -23.6 GHz <ul style="list-style-type: none"> ○ The rejection rate is the number of non-granted applications for common carrier use due to lack of spectrum availability or interference concerns • GAO is to conduct a study on 10.7-11.7, 17.7-19.7, and 21.2 -23.6 GHz microwave bands to ensure that the commercial market in these bands yields effective use and maximum revenue for licenses and submit to the FCC and Congress within 9 months of enactment
6413	Public Safety Trust Fund	<ul style="list-style-type: none"> • Establishes the Public Safety Trust Fund for the deposit and specified use of auctions revenues. After FY22, any remaining balance in the Fund is returned to Treasury for deficit reduction • As auction revenues are deposited in the Fund, they are to be used in the following priority order: <ul style="list-style-type: none"> ○ Repayment of funds borrowed by NTIA to establish FirstNet (up to \$2B) ○ \$135M to the State and Local Implementation Grant Program ○ \$7B to the Network Construction Fund for all FirstNet responsibilities except administrative ○ \$100M to NIST for public safety research ○ \$20.4B for deficit reduction ○ \$115M to National Highway Traffic Safety Administration (NHTSA) to support a 9-1-1/NG9-1-1 grant program ○ An additional \$200M to NIST for public safety research ○ Any remaining funds deposited into the Public Safety Trust Fund are to be used for deficit reduction • Amounts in the Public Safety Trust Fund are to be invested and any interest and proceeds shall become part of the Fund

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6414	Study on Amateur Radio for Emergency Communications	<ul style="list-style-type: none"> • Within 180 days of enactment, the FCC, with OEC, is to complete and submit to Congress a study on amateur radio service communications uses and capabilities in emergencies which: <ul style="list-style-type: none"> ○ Reviews the importance of emergency amateur radio service communications during disasters, severe weather conditions, and threats to life and property ○ Provides recommendations for: <ul style="list-style-type: none"> ▪ Enhancements in using voluntary amateur radio services for emergency communications and disaster relief ▪ Improved integration of amateur radio communications in Federal initiatives ○ Identifies impediments to enhanced amateur radio communications, such as the effects of unreasonable or unnecessary restrictions on residential antenna installations, and makes recommendations on the removal of impediments • The FCC is to use the expertise of stakeholder entities and organizations, including the amateur radio, emergency response, and disaster communications communities
Subtitle E: NG9-1-1 Advancement Act of 2012		
6503	Coordination of 9-1-1 Implementation	<ul style="list-style-type: none"> • NTIA and NHTSA are to establish the 9-1-1 Implementation Coordination Office (ICO) • Not later than 90 days after enactment, NTIA and NHTSA are to create and submit to Congress, a grant program management plan including funding profiles for each fiscal year of the grant program • ICO is to: <ul style="list-style-type: none"> ○ Improve coordination and communication for implementing 9-1-1, E9-1-1, and NG9-1-1 ○ Develop, collect, and disseminate practices, procedures, and technology used to implement 9-1-1, E9-1-1, and NG9-1-1 ○ Advise and assist eligible entities in preparing implementation plans ○ Manage and administer the 9-1-1- grant program • NTIA and NHTSA are to provide grants for: <ul style="list-style-type: none"> ○ Implementing and operating 9-1-1, E9-1-1, systems, and adoption and operation of NG9-1-1 services and applications; ○ Implementing IP-enabled emergency services and applications enabled by NG9-1-1; and ○ Training public safety personnel • Grants authority is effective until October 1, 2022 • Prohibits the diversion of 9-1-1 funds; if used for non 9-1-1 purposes, Federal grant funds must be returned to the ICO
6504	Requirements for Multi-Line Telephone Systems (MLTS)	<ul style="list-style-type: none"> • Not later than 270 days after enactment, GAO is to issue a study on MLTS use in Federal buildings and 9-1-1 capabilities • Not later than 90 days after enactment, the FCC is to seek comment on MLTS manufacturers and how to provide caller locations
6505	GAO Study of State and Local Use of 9-1-1 Service Charges	<ul style="list-style-type: none"> • Not later than 60 days after enactment, GAO is to issue a study on the use of 9-1-1 service charges including taxes and fees and deliver to Congress no later than 18 months after initiating the study

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6506	Protection for NG9-1-1 Service	<ul style="list-style-type: none"> • A provider or user of NG9-1-1 services, a PSAP, and the officers, directors, employees, vendors, agents, and authorizing government entities is to have immunity and protection under Federal and State law on the release of subscriber information related to 9-1-1, E9-1-1, or NG 9-1-1 services
6508	Report on Costs for NG9-1-1 Service	<ul style="list-style-type: none"> • Not later than 1 year after enactment, the ICO, with NHTSA, the FCC, and DHS, are to submit a report to Congress on costs for NG9-1-1 service requirements and include: <ul style="list-style-type: none"> ○ How costs are allocated among PSAPs, broadband service providers and third-party providers of NG9-1-1 services; ○ Current NG9-1-1 readiness among PSAPs; ○ How differences in PSAPs' access to broadband may affect costs; ○ A technical analysis and cost study on delivery platforms (wireline, wireless, satellite); ○ An assessment of architectural characteristics, feasibility and limitations of NG9-1-1 service delivery; ○ A needs analysis of NG9-1-1 services for persons with disabilities; ○ Standard and protocols for NG9-1-1 and for incorporating Voice over IP (VoIP) and Real-Time Text standards
6509	Framework for NG9-1-1	<ul style="list-style-type: none"> • No later than 1 year after enactment, the FCC, DHS, NHTSA, and the ICO are to submit a report to Congress on the legal and regulatory framework for transitioning and developing NG9-1-1 service, legal measures to ensure accurate 9-1-1 caller information, and recommendations for removing regulatory barriers
Subtitle F: Telecommunications Development Fund		
6601	Telecommunications Development Fund (TDF) Interest	<ul style="list-style-type: none"> • Interest accrued within the TDF is to be used solely for deficit reduction
6602	TDF Board of Directors	<ul style="list-style-type: none"> • The TDF Board will be comprised of five individuals with experience in finance, investment banking, government banking, communications law and administrative practice, and public policy
Subtitle G: Federal Spectrum Relocation		
6701	Relocation of Federal Government Entities	<ul style="list-style-type: none"> • Eligible Federal entities incurring relocation charges shall receive compensation from the Spectrum Relocation Fund
6701	Eligible Federal Entities	<ul style="list-style-type: none"> • An eligible Federal entity is one operating within the following frequencies: <ul style="list-style-type: none"> ○ 216-220 MHz, 1432-1435 MHz, 1710-1755 MHz, 2385-2390 MHz, and any frequencies reallocated for non-Federal use after January 1, 2003; ○ Incurs relocation or sharing costs due to auction planning or reallocation of spectrum

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6701	Eligible Costs	<ul style="list-style-type: none"> • Relocation costs include: <ul style="list-style-type: none"> ○ Modification or replacement of equipment, software, facilities, manuals, or the cost of complying with regulations in relocation/sharing ○ Costs of all engineering equipment, software, site acquisition, construction, and legitimate transactions ○ Costs of engineering studies, economic analyses, or other expenses related to relocation ○ One-time costs to modify equipment to accommodate non-federal use of shared frequencies; or shared use of frequencies until completion of competitive auctions ○ Costs associated with the accelerated replacement of systems and equipment if needed to ensure timely relocation
6701	Implementation of Procedures	<ul style="list-style-type: none"> • NTIA is to ensure timely relocation of Federal users or sharing arrangements, prioritize options for reallocating non-Federal use, and choose options for shared use when it determines, with OMB, that relocation is not feasible due to technical/cost constraints
6701	Transition Plans	<ul style="list-style-type: none"> • No later than 240 days before an auction starts, a Federal entity relocating spectrum is to submit a transition plan to the NTIA and the Technical Panel • NTIA is to draft a common transition plan template after public comment • Each transition plan will include: <ul style="list-style-type: none"> ○ Current use of frequencies and geographic location of facilities or systems ○ Timelines for purchasing equipment, hiring personnel, procuring field-testing and deploying new equipment ○ Any factors that could negatively impact achieving the transition plan
6701	NTIA Technical Panel Rules	<ul style="list-style-type: none"> • The FACA-exempt Technical Panel, includes three members: 1 appointed by OMB, 1 by NTIA, and 1 by the FCC • First appointments occur no later than 180 days after enactment • Each member is to be a radio engineer or a technical analyst and serve no more than one 18-month consecutive term • Not later than 180 days after enactment, NTIA is to provide administrative support and adopt regulations to govern the Technical Panel
6701	NTIA Technical Panel Decisions	<ul style="list-style-type: none"> • No later than 30 days after the submission of the plan, the Technical Panel is to submit to the NTIA and the Federal spectrum holder a report on the plan's sufficiency • If insufficient, the Federal agency is to have 90 days to file a new report addressing the insufficiencies • Plans must be published on NTIA's website no later than 120 days after approval • For disputes between Federal entities and non-Federal users, either party may request that NTIA establish a dispute resolution board

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6702	Spectrum Relocation Fund	<ul style="list-style-type: none">• OMB may transfer to an eligible Federal entity at any time such sums as may be available in the Spectrum Relocation Fund to pay relocation or sharing costs related to pre-auction estimates or research• OMB may transfer up to \$10 million to the Spectrum Relocation Fund after June 28, 2010, but before enactment of the Act• Any remaining funds in the Spectrum Relocation Fund 8 years after deposit, are to revert to Treasury for deficit reduction
6703	Classified Information	<ul style="list-style-type: none">• If an Executive agency determines that public disclosure of any information given to NTIA would reveal classified national security information, that agency shall notify NTIA; and such information is only to be available to Congressional Committee members with agency jurisdiction and appropriate national security stipulations