

Suspend the Rules and Pass the Bill, H.R. 4990, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 4990

To codify the Institute for Telecommunication Sciences and to direct the Assistant Secretary of Commerce for Communications and Information to establish an initiative to support the development of emergency communication and tracking technologies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 2021

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To codify the Institute for Telecommunication Sciences and to direct the Assistant Secretary of Commerce for Communications and Information to establish an initiative to support the development of emergency communication and tracking technologies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Institute for Tele-
3 communication Sciences Codification Act” or the “ITS
4 Codification Act”.

5 **SEC. 2. INSTITUTE FOR TELECOMMUNICATION SCIENCES.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The test center within National Tele-
8 communications and Information Administration (in
9 this subsection referred to as the “NTIA”) rep-
10 resents executive branch agencies on spectrum issues
11 before the Federal Communications Commission.

12 (2) Understanding radio frequency propagation
13 characteristics and modeling is a critical component
14 of making spectrum decisions.

15 (3) Federal agencies rely on expert engineering
16 studies, simulations, and analyses to make deter-
17 minations about how to make spectrum available for
18 commercial use, including through system reloca-
19 tions and identifying spectrum sharing opportunities
20 through the NTIA.

21 (4) Clearing of Federal spectrum, when fea-
22 sible, is the priority action to take to make Federal
23 spectrum available for commercial uses as required
24 by section 113(j)(1) of the National Telecommuni-
25 cations and Information Administration Organiza-
26 tion Act (47 U.S.C. 923(j)(1)).

1 (5) Sharing of Federal spectrum between Fed-
2 eral entities and commercial entities provides access
3 to Federal spectrum for commercial uses in cir-
4 cumstances where clearing is not feasible.

5 (6) The test center within NTIA, is the Govern-
6 ment’s premier expert laboratory for spectrum re-
7 search activities, spectrum sharing innovation and
8 testing, spectrum interference studies, and all activi-
9 ties related to advancing next generation wireless
10 technologies.

11 (7) The test center within NTIA is critical for
12 undertaking engineering studies and analyses that
13 inform clearing or sharing opportunities and facili-
14 tate policy decisions to maximize the efficient use of
15 spectrum resources.

16 (b) OPERATION OF TEST CENTER.—Part A of the
17 National Telecommunications and Information Adminis-
18 tration Organization Act (47 U.S.C. 901 et seq.) is
19 amended by adding at the end the following:

20 **“SEC. 106. INSTITUTE FOR TELECOMMUNICATION**
21 **SCIENCES.**

22 “(a) ESTABLISHMENT.—

23 “(1) IN GENERAL.—Under the authority pro-
24 vided to the Assistant Secretary under section 103,
25 the Assistant Secretary shall operate a test center to

1 be known as the Institute for Telecommunication
2 Sciences (in this section referred to as ‘ITS’).

3 “(2) FUNCTIONS.—

4 “(A) IN GENERAL.—In addition to any
5 functions delegated by the Assistant Secretary
6 under subparagraph (B), ITS shall serve as the
7 primary laboratory for the executive branch of
8 the Federal Government to—

9 “(i) study radio frequency emissions,
10 including technologies and techniques to
11 control such emissions and interference
12 caused by such emissions;

13 “(ii) determine spectrum propagation
14 characteristics;

15 “(iii) conduct tests on technology that
16 enhances the sharing of electromagnetic
17 spectrum between Federal and non-Federal
18 users;

19 “(iv) improve the interference toler-
20 ance of Federal systems operating with, or
21 using, Federal spectrum;

22 “(v) promote activities relating to ac-
23 cess to Federal spectrum by non-Federal
24 users and the sharing of Federal spectrum

1 between Federal and non-Federal users;
2 and

3 “(vi) conduct such other activities as
4 determined necessary by the Assistant Sec-
5 retary.

6 “(B) ADDITIONAL FUNCTIONS.—The As-
7 sistant Secretary may delegate to ITS any of
8 the functions assigned to the Assistant Sec-
9 retary under section 103(b)(1).

10 “(3) AGREEMENTS AND TRANSACTIONS.—In
11 carrying out the functions described in paragraph
12 (2), the Assistant Secretary, acting through the head
13 of ITS, may enter into agreements as provided
14 under the following authorities:

15 “(A) Sections 11 and 12 of the Stevenson–
16 Wydler Technology Innovation Act of 1980.

17 “(B) Section 1535 of title 31, United
18 States Code.

19 “(C) Sections 207 and 209 of title 35,
20 United States Code.

21 “(D) Section 103(b)(2) of this Act.

22 “(E) Section 113(g) of this Act.

23 “(F) The first undesignated section of
24 Public Law 91–412.

1 “(G) As authorized in any other Federal
2 statute.

3 “(4) FEDERAL SPECTRUM DEFINED.—In this
4 subsection, the term ‘Federal spectrum’ means fre-
5 quencies assigned on a primary basis to a Federal
6 entity (as defined in section 113(l)).

7 “(b) EMERGENCY COMMUNICATION AND TRACKING
8 TECHNOLOGIES INITIATIVE.—

9 “(1) ESTABLISHMENT.—The Assistant Sec-
10 retary, acting through the head of ITS, shall estab-
11 lish an initiative to support the development of
12 emergency communication and tracking technologies
13 for use in locating trapped individuals in confined
14 spaces, such as underground mines, and other
15 shielded environments, such as high-rise buildings or
16 collapsed structures, where conventional radio com-
17 munication is limited.

18 “(2) ACTIVITIES.—In order to carry out this
19 subsection, the Assistant Secretary, acting through
20 the head of ITS, shall work with private sector enti-
21 ties and the heads of appropriate Federal agencies,
22 to—

23 “(A) perform a needs assessment to iden-
24 tify and evaluate the measurement, technical
25 specifications, and conformity assessment needs

1 required to improve the operation and reliability
2 of such emergency communication and tracking
3 technologies; and

4 “(B) support the development of technical
5 specifications and conformance architecture to
6 improve the operation and reliability of such
7 emergency communication and tracking tech-
8 nologies.

9 “(3) REPORT.—Not later than 18 months after
10 the date of the enactment of this section, the Assist-
11 ant Secretary shall submit to Congress, and make
12 publicly available, a report on the assessment per-
13 formed under paragraph (2)(A).”.