Amendment in the Nature of a Substitute

To H.R. 4990

Offered by Mr. O’Halleran of Arizona

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.
   This Act may be cited as the “Institute for Telecommunication Sciences Codification Act” or the “ITS Codification Act”.

5 SEC. 2. INSTITUTE FOR TELECOMMUNICATION SCIENCES.
   (a) FINDINGS.—Congress finds the following:
   (1) The test center within National Telecommunication Sciences Codification Act” or the “ITS Codification Act”.
   (2) Understanding radio frequency propagation characteristics and modeling is a critical component of making spectrum decisions.
   (3) Federal agencies rely on expert engineering studies, simulations, and analyses to make determinations about how to make spectrum available for commercial use, including through system reloca-
tions and identifying spectrum sharing opportunities through the NTIA.

(4) Clearing of Federal spectrum, when feasible, is the priority action to take to make Federal spectrum available for commercial uses as required by section 113(j)(1) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)(1)).

(5) Sharing of Federal spectrum between Federal entities and commercial entities provides access to Federal spectrum for commercial uses in circumstances where clearing is not feasible.

(6) The test center within NTIA, is the Government’s premier expert laboratory for spectrum research activities, spectrum sharing innovation and testing, spectrum interference studies, and all activities related to advancing next generation wireless technologies.

(7) The test center within NTIA is critical for undertaking engineering studies and analyses that inform clearing or sharing opportunities and facilitate policy decisions to maximize the efficient use of spectrum resources.

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

“SEC. 106. INSTITUTE FOR TELECOMMUNICATION
SCIENCES.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—Under the authority pro-
vided to the Assistant Secretary under section 103,
the Assistant Secretary shall operate a test center to
be known as the Institute for Telecommunication
Sciences (in this section referred to as ‘ITS’).

“(2) FUNCTIONS.—

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

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

“(ii) determine spectrum propagation
characteristics;

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

“(iv) improve the interference tolerance of Federal systems operating with, or using, Federal spectrum;

“(v) promote activities relating to access to Federal spectrum by non-Federal users and the sharing of Federal spectrum between Federal and non-Federal users;

and

“(vi) conduct such other activities as determined necessary by the Assistant Secretary.

“(B) ADDITIONAL FUNCTIONS.—The Assistant Secretary may delegate to ITS any of the functions assigned to the Assistant Secretary under section 103(b)(1).

“(3) AGREEMENTS AND TRANSACTIONS.—The Assistant Secretary, acting through the head of ITS, may enter into such agreements, including contracts, cooperative agreements, and interagency agreements, as may be necessary to carry out the functions described in paragraph (2).

“(4) FUNDS FROM FEDERAL AND NON-FEDERAL ENTITIES.—In addition to such other sums as
may be made available to carry out this section, the Assistant Secretary, acting through the head of ITS may accept, hold, administer, and use funds from any Federal entity or non-Federal entity, including a State government, local government, or private sector entity, for ITS to perform analysis or conduct a technical study on behalf of such entity.

“(5) FEDERAL SPECTRUM DEFINED.—In this subsection, the term ‘Federal spectrum’ means frequencies assigned on a primary basis to a Federal entity (as defined in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l))).

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

“(1) ESTABLISHMENT.—The Assistant Secretary, acting through the head of ITS, shall establish an initiative to support the development of emergency communication and tracking technologies for use in locating trapped individuals in confined spaces, such as underground mines, and other shielded environments, such as high-rise buildings or collapsed structures, where conventional radio communication is limited.
“(2) ACTIVITIES.—In order to carry out this subsection, the Assistant Secretary, acting through the head of ITS, shall work with private sector entities and the heads of appropriate Federal agencies, to—

“(A) perform a needs assessment to identify and evaluate the measurement, technical specifications, and conformity assessment needs required to improve the operation and reliability of such emergency communication and tracking technologies; and

“(B) support the development of technical specifications and conformance architecture to improve the operation and reliability of such emergency communication and tracking technologies.

“(3) REPORT.—Not later than 18 months after the date of the enactment of this section, the Assistant Secretary shall submit to Congress, and make publicly available, a report on the assessment performed under paragraph (2)(A).”.