

**COMMITTEE ON
COMMERCE, SCIENCE, AND
TRANSPORTATION
RECONCILIATION BILL
SUBMISSION**

OCTOBER 20, 2006

1 **TITLE III—COMMITTEE ON COM-**
2 **MERCE, SCIENCE, AND**
3 **TRANSPORTATION**

4 **SEC. 3001. SHORT TITLE.**

5 This title may be cited as the “Digital Transition and
6 Public Safety Act of 2005.”.

7 **SEC. 3002. ANALOG SPECTRUM RECOVERY; HARD DEAD-**
8 **LINE.**

9 Section 309(j)(14) of the Communications Act of
10 1934 (47 U.S.C. 309(j)(14)) is amended—

11 (1) by striking “December 31, 2006.” in sub-
12 paragraph (A) and inserting “April 7, 2009.”;

13 (2) by striking subparagraph (B);

14 (3) by striking “or (B)” in subparagraph
15 (C)(i)(I);

16 (4) by striking “(C)(i),” in subparagraph (D)
17 and inserting “(B)(i),”; and

18 (5) by redesignating subparagraphs (C) and
19 (D) as subparagraphs (B) and (C), respectively.

1 **SEC. 3003. AUCTION OF RECOVERED SPECTRUM.**

2 (a) AUCTION: DATE, APPLICABLE REQUIRE-
3 MENTS.—Section 309(j)(15)(C) of the Communications
4 Act of 1934 (47 U.S.C. 309(j)(15)(C)) is amended by add-
5 ing at the end the following:

6 “(v) ADDITIONAL DEADLINES FOR RE-
7 COVERED ANALOG SPECTRUM.—Notwith-
8 standing subparagraph (B), the Commis-
9 sion shall—

10 “(I) conduct the auction of the li-
11 censes for recovered analog spectrum
12 commencing January 28, 2008;

13 “(II) not later than 60 days after
14 the end of the pleading cycle for long-
15 form applications for such auction es-
16 tablished pursuant to part 1 of title
17 47, Code of Federal Regulations,
18 grant or deny such long-form applica-
19 tions and issue the licenses for such
20 recovered analog spectrum to each
21 successful bidder whose long-form ap-
22 plication is granted; and

23 “(III) collect and deposit the pro-
24 ceeds of such auction in the Digital
25 Transition and Public Safety Fund
26 established by section 3005 of the

1 Digital Transition and Public Safety
2 Act of 2005.

3 “(vi) RECOVERED ANALOG SPEC-
4 TRUM.—For purposes of this subpara-
5 graph, the term ‘recovered analog spec-
6 trum’ means spectrum reclaimed from the
7 analog television service under paragraph
8 (14), except—

9 “(I) spectrum required by section
10 337 to be made available for public
11 safety services; and

12 “(II) spectrum auctioned prior to
13 the date of enactment of the Digital
14 Transition and Public Safety Act of
15 2005.”.

16 (b) EXTENSION OF AUCTION AUTHORITY.—Para-
17 graph (11) of section 309(j) of the Communications Act
18 of 1934 (47 U.S.C. 309(j)(11)) is amended by striking
19 “September 30, 2007.” and inserting “September 30,
20 2009.”.

21 **SEC. 3004. SUPPLEMENTAL LICENSE FEES.**

22 In addition to any fees assessed under the Commu-
23 nications Act of 1934 (47 U.S.C. 151 et seq.), the Com-
24 mission shall assess extraordinary fees for licenses in the
25 aggregate amount of \$10,000,000, which shall be depos-

1 ited in the Treasury during fiscal year 2006 as offsetting
2 receipts.

3 **SEC. 3005. DIGITAL TRANSITION AND PUBLIC SAFETY**
4 **FUND.**

5 (a) ESTABLISHMENT.—There is established in the
6 Treasury of the United States a fund called the Digital
7 Transition and Public Safety Fund.

8 (b) DEPOSIT OF AUCTION PROCEEDS.—The Com-
9 mission shall deposit the proceeds of the auction author-
10 ized by section 309(j)(15)(C)(v) of the Communications
11 Act of 1934 (47 U.S.C. 309(j)(15)(C)(v)) in the Fund as
12 required by item (III) of that section.

13 (c) PAYMENTS AUTHORIZED.—The Secretary of
14 Commerce or the Secretary's designee shall make pay-
15 ments from the Fund in the following amounts, for the
16 following programs, and in the following order:

17 (1) \$3,000,000,000 for a program to assist con-
18 sumers in the purchase of converter boxes that con-
19 vert a digital television signal to an analog television
20 signal, and any amounts unexpended or unobligated
21 at the conclusion of the program shall be used for
22 the program described in paragraph (3).

23 (2) \$200,000,000 for a program to convert low-
24 power television stations and television translator
25 stations from analog to digital, and any amounts un-

1 expended or unobligated at the conclusion of the
2 program shall be used for the program described in
3 paragraph (3).

4 (3) \$1,250,000,000 for a program to facilitate
5 emergency communications, of which
6 \$1,000,000,000 shall be used for an interoperability
7 fund and \$250,000,000 shall be used to implement
8 a national alert system, of which \$50,000,000 shall
9 be used for tsunami warning and coastal vulner-
10 ability programs.

11 (4) \$250,000,000 for a program to implement
12 the ENHANCE 911 Act of 2004 (47 U.S.C. 942
13 note).

14 (5) \$200,000,000 for a program to provide as-
15 sistance to coastal States and Indian tribes affected
16 by hurricanes and other coastal disasters.

17 (d) TRANSFER OF AMOUNT TO TREASURY.—On Oc-
18 tober 2, 2009, Secretary shall transfer \$5,000,000,000
19 from the Fund to the general fund of the Treasury.

20 (e) OBLIGATION TIME PERIOD.—The amounts pay-
21 able from the Fund under subsection (c) shall be obligated
22 no later than September 14, 2010.

23 (f) EXCESS PROCEEDS USED FOR DEFICIT REDUC-
24 TION.—If the proceeds of the auction authorized by sec-
25 tion 309(j)(15)(C)(v) of the Communications Act of 1934

1 (47 U.S.C. 309(j)(15)(C)(v)) exceed the sum of the pay-
2 ments under subsection (e), the transfer under subsection
3 (d), and any amount made available under section 3006,
4 the excess in the Fund shall be transferred to and depos-
5 ited in the general fund of the Treasury as miscellaneous
6 receipts.

7 **SEC. 3006. ESSENTIAL AIR SERVICE PROGRAM.**

8 (a) **IN GENERAL.**—If the amount appropriated to
9 carry out the essential air service program under sub-
10 chapter II of chapter 417 of title 49, United States Code,
11 equals or exceeds \$110,000,000 for fiscal year 2006,
12 2007, 2008, 2009, or 2010, then the Secretary of Com-
13 merce shall make \$15,000,000 available from the Digital
14 Transition and Public Safety Fund available to the Sec-
15 retary of Transportation for use in carrying out the essen-
16 tial air service program for that fiscal year.

17 (b) **APPLICATION WITH OTHER FUNDS.**—Amounts
18 made available under subsection (a) for any fiscal year
19 shall be in addition to any amounts—

20 (1) appropriated for that fiscal year; or

21 (2) derived from fees collected pursuant to sec-
22 tion 45301(a)(1) of title 49, United States Code,
23 that are made available for obligation and expendi-
24 ture to carry out the essential air service program
25 for that fiscal year.