

118TH CONGRESS
1ST SESSION

S. 998

To require the Assistant Secretary of Commerce for Communications and Information to audit Federal spectrum.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2023

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Assistant Secretary of Commerce for Communications and Information to audit Federal spectrum.

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

3 **SECTION 1. FEDERAL SPECTRUM AUDIT.**

4 (a) DEFINITIONS.—In this section—

5 (1) the term “Assistant Secretary” means the
6 Assistant Secretary of Commerce for Communica-
7 tions and Information; and

8 (2) the term “Federal entity” has the meaning
9 given the term in section 113(l) of the National

1 Telecommunications and Information Administration
2 Organization Act (47 U.S.C. 923(l)).

3 (b) AUDIT AND REPORT.—Not later than 18 months
4 after the date of enactment of this Act, the Assistant Sec-
5 retary, in consultation with the head of each Federal enti-
6 ty, shall—

7 (1) conduct an audit of the electromagnetic
8 spectrum that is assigned or otherwise allocated to
9 each Federal entity as of the date of the audit; and

10 (2) submit to Congress, and make available to
11 each Member of Congress upon request, a report
12 containing the results of the audit conducted under
13 paragraph (1).

14 (c) CONTENTS OF REPORT.—The Assistant Sec-
15 retary shall include in the report submitted under sub-
16 section (b)(2), with respect to the electromagnetic spec-
17 trum that is assigned or otherwise allocated to a Federal
18 entity as of the date of the audit—

19 (1) each particular band of spectrum being used
20 by the Federal entity;

21 (2) a description of each purpose for which a
22 particular band described in paragraph (1) is being
23 used, and how much of the band is being used for
24 that purpose;

1 (3) the State or other geographic area in which
2 a particular band described in paragraph (1) is as-
3 signed or allocated for use;

4 (4) whether a particular band described in
5 paragraph (1) is used exclusively by the Federal en-
6 tity or shared with another Federal entity or a non-
7 Federal entity; and

8 (5) any portion of the spectrum that is not
9 being used by the Federal entity.

10 (d) FORM OF REPORT.—The report required under
11 subsection (b)(2) shall be submitted in unclassified form
12 but may include a classified annex.

13 (e) RELATION TO DEPARTMENT OF TRANSPOR-
14 TATION SPECTRUM AUDIT.—The Assistant Secretary
15 shall coordinate with the Secretary of Transportation to
16 ensure that the audit conducted under this section does
17 not duplicate the audit conducted under section 27003 of
18 the Infrastructure Investment and Jobs Act (Public Law
19 117–58; 135 Stat. 884).

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