To direct the Federal Communications Commission to establish a new Tribal priority window for the 2.5 gigahertz band, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. Warren (for herself, Mr. Markey, Mr. Merkley, Ms. Smith, Ms. Hirono, Mr. Udall, Mr. Schatz, Mr. Wyden, Ms. Klobuchar, Ms. Cortez Masto, Ms. Baldwin, Ms. Rosen, and Mr. King) introduced the following bill; which was read twice and referred to the Committee on __________________

A BILL

To direct the Federal Communications Commission to establish a new Tribal priority window for the 2.5 gigahertz band, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Extending Tribal Broadband Priority Act of 2020”.

SEC. 2. ESTABLISHMENT OF NEW 2.5 GHZ TRIBAL PRIORITY WINDOW.

(a) COMMISSION DEFINED.—In this section, the term “Commission” means the Federal Communications Commission.

(b) NEW TRIBAL PRIORITY WINDOW.—The Commission shall—

(1) not later than 30 days after the date of enactment of this Act, establish a new Tribal priority window for the 2.5 gigahertz band, under the same terms and conditions as the Tribal priority window established in the Report and Order in the matter of Transforming the 2.5 GHz Band adopted by the Commission on July 10, 2019 (FCC 19–62), for any portions of the band—

(A) that remain available for assignment in accordance with that Report and Order; and

(B) for which the Commission did not receive an application during the Tribal priority window established in that Report and Order; and

(2) accept applications in the new window established under paragraph (1) during the period that—

(A) begins on the date on which the window is established; and
(B) ends on the date that is 180 days after
the date on which the window is established, or
such later date as the Commission considers ap-
propriate.

(c) Exception From Certain Procedural Re-
quirements.—To the extent that the Commission deter-
mines that section 553 of title 5, United States Code,
chapter 6 of that title (commonly known as the “Regu-
latory Flexibility Act”), subchapter I of chapter 35 of title
44, United States Code (commonly known as the “Paper-
work Reduction Act”), or any other provision of law would
prevent the Commission from establishing the new Tribal
priority window by the date required under paragraph (1)
of subsection (b) or from beginning to accept applications
in that window as required under paragraph (2)(A) of that
subsection, that provision shall not apply to any action
taken by the Commission, or any rule or order issued by
the Commission, to establish that window or to begin ac-
cepting applications in that window (as the case may be).