

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1236

To ensure the availability of spectrum to amateur radio operators.

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IN THE SENATE OF THE UNITED STATES

JUNE 14, 2005

Mr. CRAPO (for himself, Mr. BAUCUS, Mr. BOND, Mr. BURNS, and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To ensure the availability of spectrum to amateur radio operators.

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. SHORT TITLE.**

4       This Act may be cited as the “Amateur Radio Spec-

5       trum Protection Act of 2005”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) More than 650,000 radio amateurs in the

9       United States are licensed by the Federal Commu-

10      nications Commission.

1           (2) Among the basic purposes of the Amateur  
2 Radio and Amateur Satellite Services are to provide  
3 voluntary, noncommercial radio service, particularly  
4 emergency communications.

5           (3) Emergency communications services by vol-  
6 unteer amateur radio operators have consistently  
7 and reliably been provided before, during, and after  
8 floods, hurricanes, tornadoes, forest fires, earth-  
9 quakes, blizzards, train accidents, chemical spills,  
10 and other disasters.

11           (4) The Federal Communications Commission  
12 has taken actions which have resulted in the loss of  
13 at least 107 MHz of spectrum to radio amateurs.

14 **SEC. 3. FEDERAL POLICY REGARDING REALLOCATION OF**  
15 **AMATEUR RADIO SPECTRUM.**

16           Section 303 of the Communications Act of 1934 (47  
17 U.S.C. 303) is amended by adding at the end the following  
18 new subsection:

19           “(z) Notwithstanding subsection (c), after the date  
20 of the enactment of this subsection—

21           “(1) make no reallocation of primary allocations  
22 of bands of frequencies of the amateur radio and  
23 amateur satellite services;

1           “(2) not diminish the secondary allocations of  
2           bands of frequencies to the amateur radio or ama-  
3           teur satellite service; and

4           “(3) make no additional allocations within such  
5           bands of frequencies that would substantially reduce  
6           the utility thereof to the amateur radio or amateur  
7           satellite service;

8           unless the Commission, at the same time, provides equiva-  
9           lent replacement spectrum to amateur radio and amateur  
10          satellite service.”.

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