

Committee Print

**(Providing for reconciliation pursuant to H. Con. Res. 14, the
Concurrent Resolution on the Budget for Fiscal Year 2025)**

1 **TITLE IV—ENERGY AND**
2 **COMMERCE**
3 **Subtitle C—Communications**

4 **PART 1—SPECTRUM AUCTIONS**

5 **SEC. 43101. IDENTIFICATION AND AUCTION OF SPECTRUM.**

6 (a) IDENTIFICATION.—

7 (1) IN GENERAL.—Not later than 2 years after
8 the date of the enactment of this Act, the Assistant
9 Secretary and the Commission shall identify, from
10 spectrum in the covered band that is allocated for
11 Federal use, non-Federal use, or shared Federal and
12 non-Federal use, a total of not less than 600 mega-
13 hertz of spectrum for reallocation for non-Federal
14 use on an exclusive, licensed basis for mobile
15 broadband services, fixed broadband services, mobile
16 and fixed broadband services, or a combination
17 thereof.

1 (2) WITHDRAWAL OR MODIFICATION OF FED-
2 ERAL GOVERNMENT ASSIGNMENTS.—The President,
3 acting through the Assistant Secretary, shall—

4 (A) withdraw or modify the assignments to
5 Federal Government stations of spectrum iden-
6 tified under paragraph (1) as necessary for the
7 Commission to comply with subsection (b); and

8 (B) not later than 30 days after com-
9 pleting any necessary withdrawal or modifica-
10 tion under subparagraph (A), notify the Com-
11 mission that the withdrawal or modification is
12 complete.

13 (3) RULE OF CONSTRUCTION.—Nothing in this
14 subsection may be construed to change the respec-
15 tive authorities of the Assistant Secretary and the
16 Commission with respect to spectrum allocated for
17 Federal use, non-Federal use, or shared Federal and
18 non-Federal use.

19 (b) AUCTION.—

20 (1) IN GENERAL.—The Commission shall,
21 through 1 or more systems of competitive bidding
22 under section 309(j) of the Communications Act of
23 1934 (47 U.S.C. 309(j)), grant licenses for the use
24 of the spectrum identified under subsection (a) on
25 an exclusive, licensed basis for mobile broadband

1 services, fixed broadband services, mobile and fixed
2 broadband services, or a combination thereof.

3 (2) SCHEDULE.—Notwithstanding paragraph
4 (15)(A) of section 309(j) of the Communications Act
5 of 1934 (47 U.S.C. 309(j)), the Commission shall
6 auction spectrum under paragraph (1) of this sub-
7 section according to the following schedule:

8 (A) Not later than 3 years after the date
9 of the enactment of this Act, the Commission
10 shall complete 1 or more systems of competitive
11 bidding for not less than 200 megahertz of such
12 spectrum.

13 (B) Not later than 6 years after the date
14 of the enactment of this Act, the Commission
15 shall complete 1 or more systems of competitive
16 bidding for any remaining spectrum required to
17 be auctioned under paragraph (1) after compli-
18 ance with subparagraph (A) of this paragraph.

19 (c) AUCTION PROCEEDS TO COVER 110 PERCENT OF
20 FEDERAL RELOCATION OR SHARING COSTS.—Nothing in
21 this section may be construed to relieve the Commission
22 from the requirements of section 309(j)(16)(B) of the
23 Communications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

24 (d) AUCTION AUTHORITY.—Section 309(j)(11) of the
25 Communications Act of 1934 (47 U.S.C. 309(j)(11)) is

1 amended by striking “grant a license or permit under this
2 subsection shall expire March 9, 2023” and all that fol-
3 lows and inserting “complete a system of competitive bid-
4 ding under this subsection shall expire September 30,
5 2034.”.

6 (e) DEFINITIONS.—In this section:

7 (1) ASSISTANT SECRETARY.—The term “Assist-
8 ant Secretary” means the Assistant Secretary of
9 Commerce for Communications and Information.

10 (2) COMMISSION.—The term “Commission”
11 means the Federal Communications Commission.

12 (3) COVERED BAND.—

13 (A) IN GENERAL.—The term “covered
14 band” means the band of frequencies between
15 1.3 gigahertz and 10 gigahertz, inclusive.

16 (B) EXCLUSION.—The term “covered
17 band” does not include the following:

18 (i) The band of frequencies between
19 3.1 gigahertz and 3.45 gigahertz, inclusive.

20 (ii) The band of frequencies between
21 5.925 gigahertz and 7.125 gigahertz, inclu-
22 sive.

1 **PART 2—ARTIFICIAL INTELLIGENCE AND**
2 **INFORMATION TECHNOLOGY MODERNIZATION**
3 **SEC. 43201. ARTIFICIAL INTELLIGENCE AND INFORMATION**
4 **TECHNOLOGY MODERNIZATION INITIATIVE.**

5 (a) APPROPRIATION OF FUNDS.—There is hereby ap-
6 propriated to the Department of Commerce for fiscal year
7 2025, out of any funds in the Treasury not otherwise ap-
8 propriated, \$500,000,000, to remain available until Sep-
9 tember 30, 2035, to modernize and secure Federal infor-
10 mation technology systems through the deployment of
11 commercial artificial intelligence, the deployment of auto-
12 mation technologies, and the replacement of antiquated
13 business systems in accordance with subsection (b).

14 (b) AUTHORIZED USES.—The Secretary of Com-
15 merce shall use the funds appropriated under subsection
16 (a) for the following:

17 (1) To replace or modernize, within the Depart-
18 ment of Commerce, legacy business systems with
19 state-of-the-art commercial artificial intelligence sys-
20 tems and automated decision systems.

21 (2) To facilitate, within the Department of
22 Commerce, the adoption of artificial intelligence
23 models that increase operational efficiency and serv-
24 ice delivery.

25 (3) To improve, within the Department of Com-
26 merce, the cybersecurity posture of Federal informa-

1 tion technology systems through modernized archi-
2 tecture, automated threat detection, and integrated
3 artificial intelligence solutions.

4 (c) MORATORIUM.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), no State or political subdivision thereof
7 may enforce any law or regulation regulating artifi-
8 cial intelligence models, artificial intelligence sys-
9 tems, or automated decision systems during the 10-
10 year period beginning on the date of the enactment
11 of this Act.

12 (2) RULE OF CONSTRUCTION.—Paragraph (1)
13 may not be construed to prohibit the enforcement of
14 any law or regulation that—

15 (A) the primary purpose and effect of
16 which is to remove legal impediments to, or fa-
17 cilitate the deployment or operation of, an arti-
18 ficial intelligence model, artificial intelligence
19 system, or automated decision system;

20 (B) the primary purpose and effect of
21 which is to streamline licensing, permitting,
22 routing, zoning, procurement, or reporting pro-
23 cedures in a manner that facilitates the adop-
24 tion of artificial intelligence models, artificial

1 intelligence systems, or automated decision sys-
2 tems;

3 (C) does not impose any substantive de-
4 sign, performance, data-handling, documenta-
5 tion, civil liability, taxation, fee, or other re-
6 quirement on artificial intelligence models, arti-
7 ficial intelligence systems, or automated deci-
8 sion systems unless such requirement—

9 (i) is imposed under Federal law; or

10 (ii) in the case of a requirement im-
11 posed under a generally applicable law, is
12 imposed in the same manner on models
13 and systems, other than artificial intel-
14 ligence models, artificial intelligence sys-
15 tems, and automated decision systems,
16 that provide comparable functions to artifi-
17 cial intelligence models, artificial intel-
18 ligence systems, or automated decision sys-
19 tems; and

20 (D) does not impose a fee or bond un-
21 less—

22 (i) such fee or bond is reasonable and
23 cost-based; and

24 (ii) under such fee or bond, artificial
25 intelligence models, artificial intelligence

1 systems, and automated decision systems
2 are treated in the same manner as other
3 models and systems that perform com-
4 parable functions.

5 (d) DEFINITIONS.—In this section:

6 (1) ARTIFICIAL INTELLIGENCE.—The term “ar-
7 tificial intelligence” has the meaning given such
8 term in section 5002 of the National Artificial Intel-
9 ligence Initiative Act of 2020 (15 U.S.C. 9401).

10 (2) ARTIFICIAL INTELLIGENCE MODEL.—The
11 term “artificial intelligence model” means a software
12 component of an information system that imple-
13 ments artificial intelligence technology and uses
14 computational, statistical, or machine-learning tech-
15 niques to produce outputs from a defined set of in-
16 puts.

17 (3) ARTIFICIAL INTELLIGENCE SYSTEM.—The
18 term “artificial intelligence system” means any data
19 system, software, hardware, application, tool, or util-
20 ity that operates, in whole or in part, using artificial
21 intelligence.

22 (4) AUTOMATED DECISION SYSTEM.—The term
23 “automated decision system” means any computa-
24 tional process derived from machine learning, statis-
25 tical modeling, data analytics, or artificial intel-

1 ligence that issues a simplified output, including a
2 score, classification, or recommendation, to materi-
3 ally influence or replace human decision making.