

Sept. 16, 2020

Senate Commerce Committee Approves Government Spectrum, E-SIGN Bills

The Senate Commerce, Science, and Transportation Committee today approved the Government Spectrum Valuation Act (S 1626) without amendment, on voice vote.

The bill, which was introduced by Sen. Mike Lee (R., Utah) (TR Daily, May 23, 2019), would require the National Telecommunications and Information Administration, in coordination with the FCC and the Office of Management and Budget, to regularly determine the value of spectrum assigned to government agencies. Sen. Lee had introduced the same bill in the previous session of Congress with Sen. Ed Markey (D., Mass.).

Despite the voice vote, several Democrats asked to be recorded as no votes on S 1626, including Sens. Richard Blumenthal (Conn.), Tammy Baldwin (Wis.), Maria Cantwell (Wash.), Tammy Duckworth (Ill.), Amy Klobuchar (Minn.), and Tom Udall (N.M.).

In a statement, Sen. Lee said, “Congress has a clear responsibility to ensure that federal spectrum is being managed effectively and appropriately. By simply calculating the value of federal spectrum allocations, Congress and the Administration would be better equipped to identify highly valuable federal spectrum bands, and thus manage each federal spectrum allocation more efficiently. That means we can better manage how government agencies use their spectrum to fulfill their mission requirements as well as identify the potential inefficiencies.”

In a tweet on the committee action, FCC Commissioner Mike O’Rielly said, “Great to see overwhelming and bipartisan approval today of @SenMikeLee’s Government Spectrum Valuation Act by @SenateCommerce. This needed bill will help spur spectrum efficiency in Federal agencies!”

In a statement on the spectrum valuation bill, CTIA Senior Vice President—government affairs Kelly Cole said, “We commend the Senate Commerce Committee’s vote to advance the Government Spectrum Valuation Act out of committee and Senator Lee for his continued leadership on this issue. This innovative approach to spectrum management is critical to meeting our country’s growing data needs.”

At today’s executive session, the committee also approved the E-SIGN Modernization Act (S 4159), after first approving an amendment in the nature of a substitute offered by one of the sponsors of the underlying bill, Sen. John Thune (R., S.D.). S 4159 would amend the 2000 Electronic Signatures in Global and National (E-SIGN) Commerce Act.

S 4159 would make it “easier for consumers to receive electronic documents,” Sen. Thune said in a press release.

Co-sponsors Jerry Moran (R., Kan.) and Todd Young (R., Ind.) both emphasized the timeliness of the legislation during the COVID-19 pandemic, with more consumers relying on online banking.

The 2020 E-SIGN Act “currently requires consumers to reasonably demonstrate that they can access documents electronically before they can receive an electronic version, which is an outdated requirement that is no longer necessary given advancements in technology. The E-SIGN Modernization Act would remove this requirement, so once a consumer is provided with disclosure information and consents to receiving documents electronically, he or she can obtain them through those means,” according to a joint press release from the sponsors.

Two other telecom-related bills that were on the original agenda for the executive session were not considered during today’s executive session: the Rural Connectivity in Advancement Program (S 4015) (TR Daily, June 18), which was introduced by Sens. Thune and Moran (R., Kan.), and which would reserve 10% of net proceeds from FCC spectrum auctions conducted through Sept. 30, 2022, for broadband deployment; and the Ensuring Network Security Act (S 4472), which was introduced by Sens. Gary Peters (D., Mich.) and Ron Johnson (R., Wis.) (TR Daily, Aug. 11), and which would expand eligibility for “rip-and-replace” reimbursement under the Secure and Trusted Communications Networks Act to carriers that have 2 million or more but fewer than 10 million customers and “educational institutions” that operate broadband networks. —Lynn Stanton, lynn.stanton@wolterskluwer.com

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