

**No. 42924. United States of
America and Mexico**

**N° 42924. États-Unis d'Amérique et
Mexique**

AGREEMENT BETWEEN THE
GOVERNMENT OF THE UNITED
STATES OF AMERICA AND THE
GOVERNMENT OF THE UNITED
MEXICAN STATES CONCERNING THE
ALLOCATION AND USE OF
FREQUENCY BANDS BY TERRESTRIAL
NON-BROADCASTING
RADIOCOMMUNICATION SERVICES
ALONG THE COMMON BORDER.
WILLIAMSBURG, 16 JUNE 1994 [*United
Nations, Treaty Series, vol. 2379, I-42924.*]

ACCORD ENTRE LE GOUVERNEMENT
DES ÉTATS-UNIS D'AMÉRIQUE ET LE
GOUVERNEMENT DES ÉTATS-UNIS DU
MEXIQUE RELATIF À L'ATTRIBUTION
ET À L'UTILISATION DES BANDES DE
FRÉQUENCE PAR LES SERVICES DE
RADIOCOMMUNICATIONS
TERRESTRES NON COMMERCIALISÉS
LE LONG DE LA FRONTIÈRE
COMMUNE. WILLIAMSBURG, 16 JUIN
1994 [*Nations Unies, Recueil des Traités, vol.
2379, I-42924.*]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT BETWEEN THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION OF THE DEPARTMENT OF COMMERCE OF THE UNITED STATES OF AMERICA AND THE SECRETARIAT OF COMMUNICATIONS AND TRANSPORTATION OF THE UNITED MEXICAN STATES AMENDING THE PROTOCOL BETWEEN THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA AND THE SECRETARÍA DE COMUNICACIONES Y TRANSPORTES OF THE UNITED MEXICAN STATES CONCERNING THE ALLOTMENT AND USE OF THE 380-399.9 MHz BAND FOR FIXED AND MOBILE TERRESTRIAL NON-BROADCASTING SERVICES ALONG THE COMMON BORDER. WASHINGTON, 17 JULY 2006, AND MEXICO CITY, 17 JULY 2006*

ÉCHANGE DE LETTRES CONSTITUANT UN ACCORD ENTRE L'ADMINISTRATION NATIONALE DES TÉLÉCOMMUNICATIONS ET DE L'INFORMATION DU DÉPARTEMENT DU COMMERCE DES ÉTATS-UNIS D'AMÉRIQUE ET LE SECRÉTARIAT DES COMMUNICATIONS ET DES TRANSPORTS DES ÉTATS-UNIS DU MEXIQUE MODIFIANT LE PROTOCOLE ENTRE LE DÉPARTEMENT D'ÉTAT DES ÉTATS-UNIS D'AMÉRIQUE ET LE SECRÉTARIAT DES COMMUNICATIONS ET DES TRANSPORTS DES ÉTATS-UNIS DU MEXIQUE RELATIF À L'ATTRIBUTION ET À L'UTILISATION DES BANDES DE FRÉQUENCE 380-399.9 MHZ POUR LES SERVICES FIXES ET MOBILES DE RADIOCOMMUNICATIONS TERRESTRES NON COMMERCIALISÉS LE LONG DE LA FRONTIÈRE COMMUNE. WASHINGTON, 17 JUILLET 2006, ET MEXICO, 17 JUILLET 2006*

Entry into force: 17 July 2006 by the exchange of the said letters, in accordance with their provisions

Authentic texts: English and Spanish

Registration with the Secretariat of the United Nations: United States of America, 4 March 2014

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

Entrée en vigueur : 17 juillet 2006 par l'échange desdites lettres, conformément à leurs dispositions

Textes authentiques : anglais et espagnol

Enregistrement auprès du Secrétariat des Nations Unies : États-Unis d'Amérique, 4 mars 2014

**Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

I



UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

July 17, 2006

Mr. Jorge Alvarez Hoth
Subsecretario de Comunicaciones
Secretaría de Comunicaciones y Transportes
Xola y Avenida Universidad
Cuerpo "C" Primer Piso
C.P. 03020 México, D.F.

Dear Mr. Alvarez Hoth:

Consistent with Articles IV and V of the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Allocation and Use of Frequency Bands by Terrestrial Non-Broadcasting Radiocommunication Services Along the Common Border signed at Williamsburg, Virginia on June 16, 1994, (the "Agreement"), the National Telecommunications and Information Administration of the Department of Commerce of the United States of America ("NTIA"), the designated Administration for the United States under Article II, paragraph 1 of the Protocol Between the Department of State of the United States of America and the Secretaría de Comunicaciones y Transportes of the United Mexican States Concerning the Allotment and Use of the 380-399.9 MHz Band for Fixed and Mobile Terrestrial Non-Broadcasting Services Along the Common Border, signed at Mexico City on July 27, 2005 (the "2005 Protocol"), has the honor to propose that the 2005 Protocol be amended as follows:

1. In Article I, paragraph 1, a semicolon and an "and" is added at the end of subparagraph b. and the following is inserted thereafter:

"c. To allow for temporary cross-border communications on an interim basis as set forth under Article IV, paragraph 3, herein."

2. In Article II, the title of Article II is amended to read as follows: "**Designation of Administrations and Definitions.**" Also, in Article II, paragraph 1 is amended to read as follows: "The National Telecommunications and Information Administration of the Department of Commerce United States of America and the Secretaría de

Comunicaciones y Transportes of the United Mexican States are hereby designated the Administrations responsible for the implementation of this Protocol for the United States of America (hereinafter “United States”) and the United Mexican States (hereinafter “Mexico”), respectively, as provided for in Article IV of the Agreement.”

3. In Article IV, at the end of paragraph 2, a new paragraph 3 is inserted thereafter as follows:

“3. Notwithstanding Article IV, paragraph 1 herein, which limits new assignments to primary allotments for each Administration, new assignments on the frequencies and their associated bandwidths shown in Appendix III are allowed on a temporary basis at certain stations in the United States so that those U.S. stations may engage in cross-border communications with counter-part stations in Mexico. Those U.S. stations are located in the State of Arizona in the United States and are identified in Appendix IV of this Protocol. Appendix IV also lists the counter-part stations in Mexico. Such temporary new assignments are not allowed on other U.S. stations in any of the border states of the United States.

a. The U.S. Administration may make new temporary assignments to the U.S. stations listed in Appendix IV under the exception set forth in this paragraph only on the condition that no harmful interference is caused to stations in Mexico. In the case of harmful interference to the U.S. stations listed in Appendix IV from Mexican stations, the U.S. Administration will request cooperation from the Mexican Administration in order to ensure viable direct cross-border communications between the stations in each country.