

16 June 94

"W. H. ..."

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

The Government of the United States of America and the Government of the United Mexican States, the Parties, desiring to continue their mutual understanding and cooperation regarding telecommunications services, recognizing the sovereign right of both countries to manage their telecommunications, taking into account the provisions of Article 31 of the International Telecommunication Convention Nairobi, 1982, and Article 7 of the Radio Regulations (1982 edition), considered an annex to the Convention, in order to establish the conditions for the use of frequency bands by terrestrial non-broadcasting radiocommunication services along their common border,

Have agreed as follows:

ARTICLE I. Purposes

The purposes of this Agreement are:

1. To establish and adopt common plans for the equitable use of frequency bands by terrestrial non-broadcasting radiocommunications services in areas on either side of the common border.

2. To achieve an equitable distribution of the available frequencies.

3. To establish the conditions and technical criteria to regulate the use of the frequencies.

ARTICLE II. Conditions of Use

The allocation of frequency bands for specific radio services and the conditions for their use shall be as agreed in Protocols which form an integral part of this Agreement and which shall be included in Annex I to this Agreement. A listing of the Protocols shall be maintained in the Index to Annex I.

ARTICLE III. Termination of Previous Agreements

Upon entry into force, this Agreement supersedes existing agreements between the United States of America and the United Mexican States and memoranda of understanding between the agencies of the governments thereof listed in Annex II of this Agreement and replaces them with the corresponding Protocols included in Annex I of this Agreement.

ARTICLE IV. Implementing Entities

The entities responsible for implementing this Agreement, herein referred to as the Authorities, shall be, for the United Mexican States, the Secretaria de Comunicaciones y Transportes and, for the United States of America, the Department of State.

The entities responsible for implementing each of the Protocols included in Annex I to this Agreement, herein referred to as the Administrations, shall be as designated by the Authorities in each of the Protocols. In those cases where

an Authority designates more than one Administration responsible for implementation of a Protocol, one of the Administrations shall be designated as responsible for coordination with the Administration of the other Party.

ARTICLE V. Amendment of the Agreement and Protocols

This Agreement may be amended by agreement of the Parties. Said amendments shall enter into force on the date on which both Parties have notified each other by exchange of diplomatic notes that they have complied with the requirements of their respective national legislation

The annexed Protocols may be amended and additional Protocols concluded by written agreement of the Administrations. Such amendments and additional Protocols shall be included in Annex I of this Agreement by the Parties.

ARTICLE VI. Entry into Force and Duration

This Agreement shall enter into force on the date on which both Parties have notified each other by exchange of diplomatic

notes that they have complied with the requirements of their respective national legislation for entry into force. It shall remain in force until it is replaced by a new agreement or until it is terminated by either Party in accordance with Article VII of this Agreement.

ARTICLE VII. Termination of the Agreement

This Agreement may be terminated by mutual agreement of the Parties or by either Party by written notice of termination to the other Party through diplomatic channels. Such notice of termination shall enter into effect one year after receipt of the notice.

Any of the Protocols annexed to this Agreement may be terminated by agreement of the Administrations or by either Administration by written notice of termination to the other Administration(s). Such notice of termination shall enter into effect one year after receipt of the notice. Upon termination, Annex I of this Agreement shall be appropriately modified by the Parties.

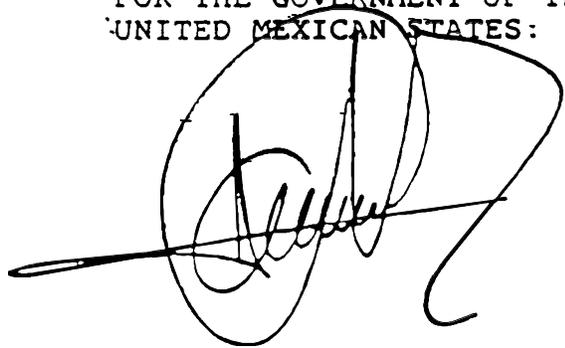
IN WITNESS WHEREOF, the respective representatives have signed the present Agreement.

Done at Williamsburg, Virginia, this sixteenth day of June, 1994, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

Donald B. McClain
Russell
Larry King

FOR THE GOVERNMENT OF THE
UNITED MEXICAN STATES:



ANNEX I

PROTOCOLS

ANNEX I

INDEX OF PROTOCOLS ANNEXED
TO THE AGREEMENT

PROTOCOL 1

Protocol Concerning the Allocation and Use of the Channels in the 220-222 MHz Band For Land Mobile Services Along the Common Border

PROTOCOL 2

Protocol Concerning Use of the 470-512 MHz Band For Land Mobile Services Along the Common Border

PROTOCOL 3

Protocol Concerning the Use of the 806-824/851-869 and 896-901/935-940 MHz Bands for Land Mobile Services Along the Common Border

PROTOCOL 4

Protocol Concerning Conditions of Use of the 824-849 and 869-894 MHz Bands for Public Radiocommunications Services Using Cellular Systems Along the Common Border

PROTOCOL 5

Protocol Concerning the Use of the 849-851 and 894-896 MHz Bands For Public Air-to-Ground Services

PROTOCOL 6

Protocol Concerning the Allotment and Use of Channels in the 932-932.5 and 941-941.5 MHz Bands for Fixed Point-to-Multipoint Services Along the Common Border

ANNEX II

LIST OF AGREEMENTS AND MEMORANDA OF UNDERSTANDING
TERMINATED BY ARTICLE III OF THIS AGREEMENT

Agreement between the United States of America Government and the Government of the United Mexican States Concerning Land Mobile Service in the Bands 470-512 MHz and 806-890 MHz along their Common Border (Signed at Mexico City June 18, 1982.)

Agreement between the Governments of the United States of America and the United Mexican States Regarding Conditions for Utilization of the Bands 825-845 MHz and 870-890 MHz, for Public Radiocommunications Services Using Cellular Systems along the Common U.S.-Mexican Border (Signed at Mexico City September 12, 1988.)

Memorandum of Understanding between the Federal Communications Commission of the United States of America and the Secretaria de Comunicaciones y Transportes of the United Mexican States Concerning Conditions of Use of the 824-825, 845-849, and 869-870 MHz Bands for Public Radiocommunications Services Using Cellular Systems along the Common Border (Signed at Washington, DC June 21, 1993.)

Memorandum of Understanding between the Federal Communications Commission of the Government of the United States of America and the Secretaria de Comunicaciones y Transportes of the United Mexican States Concerning Conditions of Use of the 890-894 MHz Band for Public Radiocommunications Services Using Cellular Systems along the Common Border (Signed at Queretaro August 11, 1992.)

Memorandum of Understanding between the Federal Communications Commission of the United States of America and the Secretaria de Comunicaciones y Transportes of the United Mexican States Concerning Private Land Mobile Use of the Bands 821-824 MHz and 866-869 MHz along the Common Border (Signed at Chestertown, MD July 2, 1991.)

Memorandum of Understanding between the Federal Communications Commission of the United States of America and the Secretaria de Comunicaciones y Transportes of the United Mexican States Concerning the Use of the 896-901 and 935-940 MHz Bands for the Land Mobile Service along the Common Border (Signed at Queretaro August 11, 1992.)

Agreement between the United States of America and the United Mexican States Concerning the Allocation and Use of the Channels in the 220-222 MHz Band along the Common Border (Signed at Queretaro August 11, 1992.)