To amend the Communications Act of 1934 to provide authority for certain licenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. Rodgers of Washington introduced the following bill; which was referred to the Committee on ____________________

A BILL

To amend the Communications Act of 1934 to provide authority for certain licenses, and for other purposes.

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 “Satellite And Tele-
5 communications Streamlining Act of 2022” or the “SAT
6 Streamlining Act of 2022”.
SEC. 2. AUTHORITY REGARDING CERTAIN LICENSES.

(a) AMENDMENT.—Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

“SEC. 345. RADIOFREQUENCY LICENSING AUTHORITY REGARDING CERTAIN OPERATIONS.

“(a) RULES.—

“(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this section, the Commission shall issue rules to amend part 25, title 47, Code of Federal Regulations, to establish for each license granted under subsection (b) or any request for a grant of market access granted under subsection (c)—

“(A) in accordance with paragraph (2), specific, measurable, and technology-neutral performance objectives for space safety and orbital debris;

“(B) specific modifications (or classes of modifications) to a license granted under subsection (b)(1) that warrant expedited treatment under subsection (g)(2);

“(C) specific actions taken by a licensee of a license granted under subsection (b)(1) or a grantee that has been granted market access
under subsection (c)(1) that constitute a failure
to coordinate in good faith;

“(D) a quantifiable level of protection re-
quired under subsection (h)(4); and

“(E) the manner in which an applicant
shall notify the Commission of a request to sub-
mit a modification under subsection (g)(5).

“(2) Conflict with Interagency Standard
Practices.—In the rules issued pursuant to para-
graph (1)(A), or any successor rule, the Commission
may not establish performance objectives that con-
flict with any standard practice established in the
Orbital Debris Mitigation Standard Practices adopt-
ed by the United States Government.

“(b) Application for License.—

“(1) NGSO Determination Required.—Not-
withstanding sections 4(i), 303(r), and 303(y) and
the authority of the Commission to require such
other information under section 308(b) and consider
such other matters under section 309(a), and except
as provided in paragraph (5), not later than 1 year
after the date on which a written application is sub-
mited to the Commission, the Commission shall
make a determination whether to grant such appli-
cation for a license for—
“(A) a nongeostationary orbit space station or space-station constellation and an earth station or earth stations;

“(B) a nongeostationary orbit space station and the blanket-licensed earth stations that will operate with the nongeostationary orbit space station; or

“(C) a nongeostationary orbit space-station constellation and the blanket-licensed earth stations that will operate with the nongeostationary orbit space-station constellation.

“(2) GSO DETERMINATION REQUIRED.—Not later than 1 year after the date on which a written application is submitted to the Commission and except as provided in paragraph (5), the Commission shall make a determination whether to grant such application for a license for a geostationary orbit space station or space-station constellation and earth stations.

“(3) CONTENTS OF APPLICATION.—In addition to the application requirements described in section 308(b), an application submitted under paragraph (1) or (2) shall include the following:
“(A) Performance metrics with respect to the frequencies and transmission power to be used.

“(B) A description of compliance by the applicant with the performance objectives and actions established under subparagraph (A) of subsection (a)(1) and, in the case of an application submitted under paragraph (1) of this subsection, subparagraphs (C) and (D) of subsection (a)(1).

“(4) TERM OF INITIAL LICENSE.—The Commission shall grant a license for a term not to exceed 15 years for any application granted under this subsection.

“(5) EXCEPTIONS.—The deadline for the determination required in paragraphs (1) and (2) may be extended by the Commission for an application subject to review under section 310(d).

“(6) TIMELY GRANT OF CERTAIN APPLICATIONS.—

“(A) GRANT OF APPLICATION REQUIRED.—Not later than 60 days after the date on which the Commission receives a written application for a license described in paragraph (1) that the Commission determines meets the
additional criteria described in subparagraph (B), the Commission shall grant such application.

“(B) CRITERIA DESCRIBED.—The additional criteria described in this subparagraph are as follows:

“(i) A limit on the number of space stations a constellation contains, as determined by the Commission.

“(ii) A limit on the total in-orbit lifetime for any individual space station, as determined by the Commission.

“(iii) For each space station, the following:

“(I) A limit on the orbital altitude at which the space station may operate, as determined by the Commission.

“(II) A requirement that the space station has a maneuverability capability and the ability to make collision avoidance and deorbit maneuvers, as determined by the Commission.
“(III) A requirement that each
space station is identifiable by a
unique signal-based telemetry marker
that meets requirements issued by the
Commission.

“(IV) A requirement that the
space station releases no operational
debris.

“(V) A requirement that the
space station can be commanded by
command originating from the ground
to immediately cease transmissions
and the applicant has the capability to
eliminate harmful interference when
required by the Commission.

“(iv) A requirement that the operator
has assessed and limited the probability of
an accidental explosion, including an explo-
sion that results from the conversion of en-
ergy sources on board any space station
into energy that fragments the space sta-
tion.

“(v) A limit on the probability of a
collision between each space station and
any other large object, as determined by the Commission.

“(vi) A requirement that each space station is disposed of post-mission through atmospheric re-entry and the probability of human casualty from such re-entry meets requirements issued by the Commission.

“(C) IMPLEMENTATION.—Not later than 60 days after the date of the enactment of this subparagraph, the Commission shall—

“(i) issue rules to implement this paragraph; or

“(ii) make the finding described in subparagraph (D).

“(D) FINDING DESCRIBED.—If the Commission finds that the rules of the Commission, as of the date of the enactment of this paragraph, satisfy the requirements in this paragraph, the Commission shall issue a public notice stating such finding.

“(c) APPLICATION FOR GRANT OF MARKET ACCESS.—

“(1) DETERMINATION REQUIRED.—Notwithstanding sections 4(i), 303(r), and 303(y) and the authority of the Commission to require such other
information under section 308(b) and consider such
other matters under section 309(a), the Commission
shall make a determination whether to grant a writ-
ten application submitted to the Commission for
market access within the United States for—

“(A) a nongeostationary orbit space station
or space-station constellation and an earth sta-
tion or earth stations;

“(B) a nongeostationary orbit space sta-
tion and the blanket-licensed earth stations that
will operate with the nongeostationary orbit
space station; or

“(C) a nongeostationary orbit space-station
constellation and the blanket-licensed earth sta-
tions that will operate with the nongeo-
stationary orbit space-station constellation.

“(2) CONTENTS OF APPLICATION.—In addition
to the application requirements described in section
308(b), an application submitted under this sub-
section shall include the following:

“(A) Performance metrics with respect to
the frequencies and transmission power to be
used.

“(B) A description of compliance by the
applicant with the performance objectives and
actions established under subparagraphs (A),
(C), and (D) of subsection (a)(1).

“(3) TERM OF INITIAL GRANT OF MARKET AC-
CESS.—The Commission shall grant a grant of mar-
ket access for a term not to exceed 15 years for any
application granted under this subsection.

“(d) EARTH STATION AUTHORIZATION.—

“(1) DETERMINATION REQUIRED.—Notwith-
standing sections 4(i), 303(r), 303(y), and 309(a)
and subsections (a) through (e) and (e) through (j)
of this section, not later than 1 year after the date
on which a written application is submitted to the
Commission, the Commission shall make a deter-
mination whether to grant such application for au-
thorization to use an earth station (including a gate-
way station) to receive a signal from—

“(A) a nongeostationary orbit satellite or
nongeostationary orbit satellite system; or

“(B) a geostationary orbit satellite or geo-
stationary orbit satellite system.

“(2) DEEMED GRANTED.—If the Commission
does not grant or deny a written application sub-
mitted under paragraph (1) within 60 days after the
date on which the application is submitted to the
Commission, except as provided in paragraph (3),

the application shall be deemed granted on the date on which the Commission receives a written notice of the failure by the applicant.

“(3) EXCEPTION.—The deadline for the determination required in paragraph (1) may be extended by the Commission for an application subject to review under section 310(d).

“(e) DETERMINATION OF PUBLIC INTEREST, CONVENIENCE, AND NECESSITY.—Before making a determination to grant an application, renewal, or modification under subsection (b), (c), (d), (f), or (g) (as the case may be), the Commission shall determine if the license, grant, or authorization (as the case may be) serves the public interest, convenience, and necessity, including—

“(1) in the case of a license or grant to which subsection (h)(4) applies, the license or grant does not exceed the quantifiable level of protection established in subsection (h)(4); and

“(2) in the case of a license or grant that is required to protect radio astronomy observatories by the International Telecommunication Union, the application, renewal, or modification demonstrates that such protection will be provided.

“(f) RENEWAL OF LICENSE, GRANT OF MARKET ACCESS, OR AUTHORIZATION.—
“(1) IN GENERAL.—Except as provided in section 309(k)(2), the Commission shall grant a renewal for a license issued under subsection (b), a grant of market access under subsection (c), or an authorization granted under subsection (d), upon request by an applicant for a term not to exceed the length of the initial term beginning the day after the date on which the previous license, grant of market access, or authorization expires, if the Commission determines the requirements under subsection (e) and section 309(k) have been met.

“(2) DEADLINE FOR DETERMINATION.—Not later than 180 days after the date on which the Commission receives a request for renewal of a license issued under subsection (b), a grant of market access under subsection (c), or an authorization granted under subsection (d), the Commission shall—

“(A) grant or deny such renewal; or

“(B) make the determination described in section 309(k)(3).

“(g) MODIFICATION OF LICENSE; GRANT OF MARKET ACCESS.—

“(1) MAJOR MODIFICATIONS.—Except as provided in paragraphs (2), (3), (5), and (6), and not
later than 1 year after the date on which the Com-
mission receives a request to modify an application
granted under subsection (b)(1), the Commission
shall grant the request if the Commission determines
the modification meets the requirement of subsection
(e). The Commission may grant a request to modify
an application submitted under subsection (b)(2) or
subsection (c) if the Commission determines the
modification meets the requirement of subsection
(e).

“(2) EXPEDITED TREATMENT FOR MINOR
MODIFICATIONS.—Except as provided in paragraphs
(3), (5), and (6), the Commission shall grant a re-
quest made by an applicant to modify an application
granted under subsection (b)(1) not later than 90
days after the date on which the Commission re-
ceives the request to modify if—

“(A) the request does not exceed the quan-
tifiable level of protection described in sub-
section (h)(4); and

“(B) the request is limited only to modi-
fications, or a class of modifications, that—

“(i) increase transmission capacity;

“(ii) improve spectral efficiency, such
“(iii) improve the orbital variance efficiency of the constellation; or

“(iv) otherwise do not substantially modify the constellation.

“(3) EMERGENCY MODIFICATION.—If the Commission finds that there are extraordinary circumstances requiring temporary operations in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest, the Commission—

“(A) may grant a license described in subsection (b), a grant of market access described in subsection (c), or an authorization described in subsection (d), a modification of such license, grant of market access, or authorization, or renewal of such license, grant of market access, or authorization for 180 days in a manner and upon the terms the Commission shall by rule prescribe in the case of an emergency found by the Commission involving—

“(i) danger to life or property; or

“(ii) an action that is necessary for the national defense or security of the United States;
“(B) shall include with a grant made under this paragraph a statement of the reasons of the Commission for making such grant;

“(C) may extend a grant made under this paragraph for periods not to exceed 180 days; and

“(D) shall give expeditious treatment to any timely filed petition to deny such application and to any petition for rehearing of such grant filed under section 405.

“(4) EXCLUSION.—Paragraph (2) shall not apply to a request to modify a license for—

“(A) the addition of an ancillary terrestrial component; or

“(B) modifying the service offered under the initial license granted under subsection (b) between fixed and mobile service.

“(5) AUTOMATIC GRANT OF CERTAIN MODIFICATIONS.—Upon notification to the Commission, the Commission may automatically grant a request to modify an application granted under subsection (b), (c), or (d) or a covered authorization, to replace one space station (or component of such space station) with a technically similar space station (or
component of such space station) previously ap-
proved by the Commission.

“(6) EXCEPTIONS.—The deadlines under para-
graphs (1) and (2) may be extended by the Commis-

sion for a request subject to review under section
310(d).

“(h) SHARED SPECTRUM; PROTECTION FROM HARM-
FUL INTERFERENCE.—

“(1) GRANDFATHERED TREATMENT AND SUN-
SET OF CERTAIN AUTHORIZATIONS.—For the dura-
tion of the covered period—

“(A) a covered authorization shall not be
treated as being granted under subsection
(b)(1) or subsection (c)(1) (as the case may be);
and

“(B) the Commission shall protect an enti-

ty with a covered authorization from harmful
interference consistent with the terms of such

protection afforded before the date of the enact-
ment of this section.

“(2) TRANSITIONAL RULE.—After the expira-
tion of the covered period, an entity with a covered
authorization may seek renewal for a license or
grant of market access under subsection (f).
“(3) Good faith coordination of shared spectrum.—Not later than the date on which the rules issued pursuant to subsection (a) take effect, a licensee of a license granted under subsection (b)(1), a grantee of market access granted under subsection (c)(1), or an entity with a covered authorization, in a spectrum band with service rules that require such licensees or grantees to share spectrum, shall make a good faith effort to coordinate the use of spectrum with any other licensee or grantee authorized in the spectrum band in which another license was granted under subsection (b)(1), another grantee was granted under subsection (c)(1), or another entity was granted authorization to use spectrum in such band.

“(4) Protection from harmful interference.—Not later than the date on which the rules issued pursuant to subsection (a) take effect, for any spectrum band in which the Commission grants a license under subsection (b)(1) or a grant of market access under subsection (c)(1), the Commission shall establish a quantifiable level of protection that a licensee of a license granted under subsection (b)(1) or a grantee of market access granted under subsection (c)(1) shall afford to any other li-
licensee or grantee authorized in the spectrum band in which another license was granted under subsection (b)(1), another grantee was granted under subsection (c)(1), or another entity was granted authorization to use spectrum in such band.

“(5) CONSIDERATION REQUIRED.—When establishing the quantifiable level of protection described in paragraph (4), the Commission shall ensure the benefit to improved coordination among licensees and grantees outweighs any costs associated with the implementation of such protection.

“(6) RELATION TO ITU RADIO REGULATIONS.—Nothing in this subsection shall be construed to require the Commission to adopt rules regarding the use of spectrum that contravene a requirement by the radio regulations of the International Telecommunication Union.

“(7) RULE OF CONSTRUCTION.—An entity with a covered authorization shall not be required to submit additional information in order to retain such authorization, nor shall paragraph (1) affect any obligation of such entity under applicable law or regulation until the end of the covered period.

“(i) STATE PREEMPTION OF MARKET ENTRY; RATES.—Notwithstanding any provision of law, no State
or local government shall have any authority to regulate
the entry of or the rates charged by an applicant or li-
censee related to a license granted under subsection (b),
an applicant or grantee related to a grant of market access
granted under subsection (c), or an applicant or entity re-
lated to an authorization under subsection (d), except that
this subsection shall not prohibit a State from regulating
the other terms and conditions of such licensee, grantee,
or entity.

“(j) Regulatory Restraint.—

“(1) Limitation of Information Pro-
vided.—In addition to the requirements described
in section 307(c)(2), in performing any act, making
any rule or regulation, or issuing any order nec-
cessary to carry out this section, the Commission—

“(A) shall limit the information required to
be furnished to the Commission;

“(B) shall demonstrate the Commission
has taken every reasonable step to limit the in-
formation required to be furnished to the Com-
mission; and

“(C) may not request additional informa-
tion regarding the performance objectives estab-
lished in subsection (a)(1)(A) for any case in
which an applicant has demonstrated compliance with such performance objectives.

“(2) DEADLINE FOR PETITION DETERMINATION.—If an applicant for a license or a licensee under subsection (b) files a petition under part 1, title 47, Code of Federal Regulations (or any successor regulation) relating to information required to be furnished to the Commission under this section, the Commission shall grant or deny the petition within 90 days after the date on which the petition is filed.

“(k) DEFINITIONS.—In this section:

“(1) COVERED APPLICATION.—The term ‘covered application’ means an application for a license or grant of market access to operate a system described in subparagraphs (A) through (C) of subsection (b)(1) or subparagraphs (A) through (C) of subsection (c)(1) in a processing round established before December 31, 2022, that is pending on the date of the enactment of this section.

“(2) COVERED AUTHORIZATION.—The term ‘covered authorization’ means—

“(A) a license or grant of market access granted by the Commission to operate a system described in subparagraphs (A) through (C) of
subsection (b)(1) or subparagraphs (A) through (C) of subsection (c)(1) in a processing round established before December 31, 2022, that has deployed a level of service commensurate with the terms of the license or grant of market access; or

“(B) a license or grant of market access granted by Commission approval of a covered application.

“(3) COVERED PERIOD.—The term ‘covered period’ means, with respect to a covered authorization, the period of time that begins on the date of the enactment of this section and ends on the earliest of—

“(A) the date on which the covered authorization expires;

“(B) the date that is 15 years after such date of enactment; or

“(C) the date on which the Commission grants a request to modify the covered authorization that would be a major modification under subsection (g) if the covered authorization were a license granted under subsection (b)(1) or a grant of market access granted under subsection (c)(1).
“(4) ORBITAL VARIANCE EFFICIENCY.—The term ‘orbital variance efficiency’ means the mean of the distance between the actual altitude of each space station and the authorized altitude for each space station authorized under subsection (b)(1).”.

(b) RELATION TO OTHER LAW AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) in section 309(j)(2)—

(A) in the matter preceding subparagraph (A), by inserting “, grants of market access, authorizations,” after “licenses”;

(B) in subparagraph (B), by striking “; or” and inserting a semicolon;

(C) by redesignating subparagraph (C) as subparagraph (D); and

(D) by inserting after subparagraph (B) the following new subparagraph:

“(C) for licenses, grants of market access, or authorizations granted under section 345; or”;

(2) in section 309(k)—

(A) in the heading, by striking “BROADCAST STATION RENEWAL PROCEDURES” and
inserting “RENEWAL PROCEDURES FOR CERTAIN AUTHORIZATIONS”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “the licensee of a license granted under section 345(b), the grantee of a grant of market access granted under section 345(c), or an entity with authorization granted under section 345(d),” after “broadcast station”;

(II) by inserting “grant, or authorization” after “such license”; 

(III) by striking “that station” and inserting “that licensee, grantee, or entity”; and

(IV) by inserting “grant of market access, or authorization” after “its license”; 

(ii) in subparagraph (A), by striking “the station” and inserting “in the case of a broadcast station, the station”;
(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(iv) by inserting after subparagraph (A) the following:

“(B) in the case of a licensee of a license granted under section 345(b), a grantee of a grant of market access granted under section 345(c), or an entity with authorization granted under section 345(d), the licensee, grantee, or entity has served the public interest, convenience, and necessity in accordance with section 345(e);”;

(v) in subparagraph (C), as so redesignated, by inserting “, grantee, or entity” after “licensee”; and

(vi) in subparagraph (D), as so redesignated, by inserting “, grantee, or entity” after “licensee”; and

(C) in paragraph (2), by inserting “, or the licensee of a license granted under section 345(b), the grantee of a grant of market access under section 345(c), or an entity with authorization granted under section 345(d),” after “broadcast station”; and
in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “that a licensee” and inserting “that a broadcast station, a licensee of a license granted under section 345(b), a grantee of market access granted under section 345(e), or an entity with authorization granted under section 345(d)”;

(ii) in subparagraph (A), by inserting “or 345” after “section 308”; and

(iii) in subparagraph (B), by inserting “or under section 345 specifying the information required by the Commission under section 345(b)(3), section 345(e)(2), or section 345(d)(1) (as the case may be) of the former licensee, grantee, or entity” after “former licensee”; and

(3) in section 310(b), by inserting “or license, grant of market access, or authorization granted under subsection (b), (c), or (d) of section 345” after “radio station license”.

(c) APPLICABILITY.—The requirements in the amendments made by this section apply with respect to any application submitted under subsection (b), (c), or (d) of section 345 of the Communications Act of 1934 and
any request for renewal or modification under such section, as added by subsection (a), on or after the date of the enactment of this Act.