

119TH CONGRESS  
2D SESSION

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To expedite processing of satellite and space licenses, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. CRUZ (for himself and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To expedite processing of satellite and space licenses, and for other purposes.

1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Satellite and Telecommunications Streamlining Act” or the “SAT Streamlining Act”.

7   **SEC. 2. SENSE OF CONGRESS.**

8       It is the sense of Congress that—

9                   (1) the United States space industry represents 10       a vital component to the present and future econ-

omy, spurring job creation, innovation, and United States leadership for years to come;

14 (4) engagement at the World  
15 Radiocommunication Conferences of the Inter-  
16 national Telecommunication Union is important to  
17 United States space leadership.

### 18 SEC. 3. AUTHORITY REGARDING CERTAIN LICENSES.

19 (a) AMENDMENT.—Part I of title III of the Commu-  
20 nications Act of 1934 (47 U.S.C. 301 et seq.) is amended  
21 by adding at the end the following:

22 "SEC. 346. RADIOFREQUENCY LICENSING AUTHORITY RE-  
23 LATING TO CERTAIN OPERATIONS.

24        "(a) DEFINITIONS —

25 "(1) IN GENERAL.—In this section:

1                   “(A) ASSISTANT SECRETARY.—The term  
2                   ‘Assistant Secretary’ means the Assistant Sec-  
3                   retary of Commerce for Communications and  
4                   Information.

5                   “(B) MAJOR AMENDMENT.—The term  
6                   ‘major amendment’ has the meaning given that  
7                   term in section 25.116(b) of title 47, Code of  
8                   Federal Regulations, or any successor regula-  
9                   tion.

10                   “(C) NATIONAL DEFENSE OR SECURITY OF  
11                   THE UNITED STATES.—The term ‘national de-  
12                   fense or security of the United States’—

13                   “(i) means the protection of the  
14                   United States from foreign aggression; and

15                   “(ii) does not otherwise include the  
16                   protection of the general welfare of the  
17                   United States.

18                   “(D) RELEVANT COMMITTEES.—The term  
19                   ‘relevant committees’ means the Committee on  
20                   Commerce, Science, and Transportation of the  
21                   Senate and the Committee on Energy and Com-  
22                   merce of the House of Representatives.

23                   “(2) CODE OF FEDERAL REGULATIONS.—The  
24                   terms in section 25.103 of title 47, Code of Federal

1       Regulations, or any successor regulation, are incor-  
2       porated by reference into this Act.

3       “(b) RULES.—Not later than 1 year after the date  
4       of enactment of this section, the Commission shall issue  
5       rules to carry out this section that shall apply to applica-  
6       tions and petitions submitted under subsection (c) after  
7       the date of enactment of this section.

8       “(c) APPLICATIONS AND PETITIONS.—

9           “(1) APPLICATIONS FOR LICENSES AND MAJOR  
10       AMENDMENTS.—Not later than 1 year after the date  
11       of receipt of a completed application for a license or  
12       a major amendment of a license, the Commission  
13       shall grant, on condition of successful coordination  
14       with other Federal users as applicable, or deny the  
15       application for—

16           “(A) a non-geostationary orbit space sta-  
17       tion license;

18           “(B) a geostationary orbit space station li-  
19       cense;

20           “(C) an earth station; or

21           “(D) a blanket-licensed earth station.

22       “(2) PETITION FOR A GRANT OF MARKET AC-  
23       CESS.—

24           “(A) IN GENERAL.—After the Commission  
25       issues a public notice of the acceptance for fil-

6 “(ii) a geostationary orbit space sta-  
7 tion market access.

8                             “(B) GRANT OF MARKET ACCESS AND  
9 TERM.—No grant of market access shall be  
10 granted for more than 15 years. Grants of mar-  
11 ket access in effect on the date of enactment of  
12 this section shall expire not later than 15 years  
13 from the date of enactment of this section.

14                             “(C) MARKET ACCESS RENEWALS.—The  
15                             Commission may create a market access re-  
16                             newal mechanism for grantees that remain in  
17                             compliance and have no change in their risk  
18                             profile.

19                   “(3) REVIEW EXTENSION.—

“(A) IN GENERAL.—The Commission may extend the period of review of an application for a license or renewal only if—

1 that is necessary for the national defense  
2 or security of the United States requiring  
3 additional time for consideration of the ap-  
4 plication;

22                   “(B) LIMITATIONS ON PERIOD OF EXTEN-  
23                   SION.—The Commission may not grant—

“(ii) more than 2 extensions of a deadline.

3                             “(C) DEEMED GRANTED.—If the Commis-  
4                             sion fails to grant or deny an application for a  
5                             license or major amendment of a license by the  
6                             end of the applicable review period, the applica-  
7                             tion shall be deemed granted on the date on  
8                             which the Commission receives from the appli-  
9                             cant written notice of the Commission’s failure  
10                            to grant or deny the application by the applica-  
11                            ble deadline.

12                   “(4) REQUESTS FOR RENEWAL OF LICENSE OR  
13                   GRANT OF MARKET ACCESS.—

14                             “(A) IN GENERAL.—Except as provided in  
15                             paragraph (3), not later than 180 days after  
16                             the date on which the Commission receives a  
17                             complete request for renewal of a license or  
18                             grant of market access, the Commission shall—

1                         “(ii) if the Commission makes the de-  
2                         termination described in section 309(k)(3),  
3                         deny the request; or

4                         “(iii) if the Commission determines an  
5                         extension necessary to ensure the national  
6                         defense or security of the United States,  
7                         submit to the relevant committees a report  
8                         explaining the determination and extend  
9                         the deadline of review for not longer than  
10                         one additional 180-day term.

11                         “(B) DEEMED GRANTED.—If the Commis-  
12                         sion fails to grant or deny a request for renewal  
13                         of a license or grant of market access by the  
14                         date described in subparagraph (A), the re-  
15                         newal shall be deemed granted on the date on  
16                         which the Commission receives from the re-  
17                         questor a written notice of the Commission’s  
18                         failure to grant or deny the renewal by the ap-  
19                         plicable deadline.

20                         “(5) EXPEDITED TREATMENT FOR MINOR  
21                         MODIFICATIONS.—

22                         “(A) IN GENERAL.—Except as provided in  
23                         subparagraph (B) or to ensure the national de-  
24                         fense or security of the United States, not later  
25                         than 90 days after the date on which the Com-

mission receives a completed request to modify a license, the Commission shall grant the request if the request is limited only to modifications, or a class of modifications, that—

5 “(i) increase transmission capacity or  
6 improve spectral efficiency, such as by im-  
7 proving compression technologies; and

19                         “(C) EXCEPTION.—The Commission may  
20                         extend the period of review of a request under  
21                         subparagraph (A) for national security and law  
22                         enforcement concerns pursuant to paragraph  
23                         (9).

24               “(6) EXPEDITED TREATMENT FOR CERTAIN  
25               MODIFICATIONS.—

1                   “(A) IN GENERAL.—Not later than 30  
2                   days after the Commission receives a request to  
3                   modify a license or grant of market access in  
4                   order to conduct a replacement described in  
5                   subparagraph (B), the Commission shall grant  
6                   or deny the request.

7                   “(B) REPLACEMENT DESCRIBED.—A re-  
8                   placement described in this subparagraph is a  
9                   replacement of—

10                   “(i) 1 space station, or component of  
11                   a space station, with a technically similar  
12                   space station, or component of a space sta-  
13                   tion, previously approved by the Commis-  
14                   sion; or

15                   “(ii) 1 earth station, or component of  
16                   an earth station, with a technically similar  
17                   earth station, or component of an earth  
18                   station, previously approved by the Com-  
19                   mission.

20                   “(C) EXCEPTION.—The Commission may  
21                   extend the period of review of a request under  
22                   subparagraph (A) for national security and law  
23                   enforcement concerns pursuant to paragraph  
24                   (9).

1           “(7) ALLEVIATION OF DELAYS FOR CERTAIN  
2           APPLICATIONS.—

3           “(A) ADDITION OF CERTAIN AUTHORIZED  
4           SPACE STATIONS.—The Commission shall per-  
5           mit non-geostationary orbit operators to add an  
6           authorized space station as a point of commu-  
7           nication to an authorized ground station on a  
8           notification-only basis without filing an applica-  
9           tion for modification of a license or grant of  
10           market access if the addition of the authorized  
11           space station involves no other changes to the  
12           authorized parameters of the ground station.

13           “(B) EXTENSION OF SPECIAL TEMPORARY  
14           AUTHORITY.—The Commission may extend a  
15           grant of special temporary authority under sec-  
16           tion 25.120(b)(3) of title 47, Code of Federal  
17           Regulations, or any successor regulation, the re-  
18           quest for which was filed alongside an applica-  
19           tion for regular nonbroadcast operation, on the  
20           Commission’s own motion.

21           “(C) PRIORITY APPLICATIONS.—The Com-  
22           mission shall consider whether to implement a  
23           process that prioritizes applications relating to  
24           systems most likely to imminently impact cus-

1           tomers, such as systems relating to currently  
2           functioning or soon to be functioning systems.

3           “(8) EMERGENCY GRANT, RENEWAL, OR MODI-  
4           FICATION.—If the Commission finds that there are  
5           extraordinary circumstances involving a danger to  
6           life or property or an action that is necessary for the  
7           national defense or security of the United States,  
8           the Commission—

9           “(A) may grant, for a period not to exceed  
10           180 days in a manner and upon the terms the  
11           Commission shall by rule prescribe—

12           “(i) a license or grant of market ac-  
13           cess;

14           “(ii) a renewal of a license or grant of  
15           market access; or

16           “(iii) a modification of a license or  
17           grant of market access;

18           “(B) shall include with a grant made  
19           under subparagraph (A) a statement of the rea-  
20           sons of the Commission for making the grant;

21           “(C) may extend a grant made under sub-  
22           paragraph (A) for a period not to exceed 180  
23           days; and

24           “(D) shall give expeditious treatment to  
25           any—

1                     “(i) timely filed petition to deny a  
2                     grant made under this subsection; or  
3                     “(ii) timely filed petition for rehearing  
4                     of a grant made under this subsection that  
5                     is filed under section 405.

6             “(9) REVIEW FOR NATIONAL SECURITY AND  
7             LAW ENFORCEMENT CONCERNS.—

8             “(A) REVIEW REQUIRED FOR ENTITIES  
9             WITH REPORTABLE FOREIGN OWNERSHIP.—For  
10            each application for a license, petition for a  
11            grant of market access, or request for a modi-  
12            fication submitted by an entity that has not al-  
13            ready undergone a foreign ownership review as  
14            described in this subparagraph or has changed  
15            its foreign ownership structure and that the  
16            Commission determines to have reportable for-  
17            eign ownership, the Commission shall refer the  
18            application or request to the Committee for the  
19            Assessment of Foreign Participation in the  
20            United States Telecommunications Services  
21            Sector established by Executive Order 13913  
22            (85 Fed. Reg. 19643; relating to the establish-  
23            ment of the Committee for the Assessment of  
24            Foreign Participation in the United States  
25            Telecommunications Services Sector) (in this

1                   paragraph referred to as the ‘Committee’) for  
2                   review of national security and law enforcement  
3                   concerns that may be raised by the application,  
4                   petition, or request.

5                   “(B) REVIEW AT DISCRETION OF COMMIS-  
6                   SION.—In addition to any application, petition,  
7                   or request that the Commission is required  
8                   under subparagraph (A) to refer to the Com-  
9                   mittee, the Commission may, at the Commis-  
10                  sion’s own discretion, refer any other applica-  
11                  tion for a license, petition for a grant of market  
12                  access, or request for a modification submitted  
13                  by an entity for review of national security and  
14                  law enforcement concerns that may be raised by  
15                  the application, petition, or request.

16                  “(10) COMPLETENESS.—

17                  “(A) IN GENERAL.—With respect to each  
18                  application for a license, petition for a grant of  
19                  market access, or application for an earth sta-  
20                  tion, not later than 30 days after receiving such  
21                  application or petition, the Commission shall—

22                  “(i) determine whether—

23                   “(I) the application or petition  
24                   contains—

1                     “(aa) in the case of an ap-  
2                     plication for a license, all of the  
3                     information required to be sub-  
4                     mitted with the application;

5                     “(bb) in the case of a peti-  
6                     tion for a grant of market access,  
7                     all of the information required to  
8                     be submitted with the petition; or

9                     “(cc) in the case of an appli-  
10                     cation for an earth station, all of  
11                     the information required to be  
12                     submitted with the application;

13                     and

14                     “(II) the applicant or petitioner  
15                     has paid the fee, if any, required; and

16                     “(ii)(I) if the determinations under  
17                     subclauses (I) and (II) of clause (i) are  
18                     both in the affirmative, issue a public no-  
19                     tice of the acceptance for filing of the ap-  
20                     plication as necessary; or

21                     “(II) if either determination under  
22                     subclause (I) or (II) of clause (i) is in the  
23                     negative, provide notice to the applicant of  
24                     the negative determination, including the

1                   information required to be submitted for  
2                   the application to be determined complete.

3                   “(B) INACTION BY COMMISSION.—

4                   “(i) IN GENERAL.—If, with respect to  
5                   application for a license, a petition for a  
6                   grant of market access, or application for  
7                   an earth station, the Commission fails to  
8                   make the determinations described in sub-  
9                   paragraph (A) within 30 days, the Com-  
10                   mission shall be deemed for purposes of  
11                   such application or petition to have issued  
12                   a public notice of the acceptance for filing  
13                   of the application on the date on which the  
14                   Commission receives from the applicant  
15                   written notice of the Commission’s failure  
16                   to make the determinations described in  
17                   subparagraph (A).

18                   “(ii) PUBLICATION.—The applicant  
19                   shall provide the written notice described  
20                   in clause (i) publicly in the appropriate  
21                   Commission database.

22                   “(11) COORDINATION.—The Commission and  
23                   Assistant Secretary shall enter into a Memorandum  
24                   of Understanding, or execute comparable formal ar-  
25                   rangements, to enhance and standardize interagency

1 coordination to the extent practicable, with the aim  
2 of expediting the review of applications and petitions  
3 submitted under this subsection.

4 “(d) STATE PREEMPTION OF MARKET ENTRY;  
5 RATES.—Notwithstanding any other provision of law, a  
6 State or local government may not regulate the rates  
7 charged by—

8           “(1) an applicant or licensee with respect to a  
9 license granted; or

10           “(2) an applicant or grantee with respect to a  
11 grant of market access.

12           “(e) SPECTRUM EFFICIENCY.—The Commission  
13 shall promulgate rules that seek to promote competition,  
14 innovation, and efficient use of spectrum by entities li-  
15 censed or granted market access, including by accounting  
16 for advancements in technology capable of managing in-  
17 terference concerns to the greatest extent practicable.

18           “(f) REGULATORY RESTRAINT.—

19           “(1) LIMITATION ON INFORMATION REQUIRED  
20 TO BE PROVIDED.—In performing any act, issuing  
21 any rule or regulation, or issuing any order nec-  
22 essary to carry out this section, the Commission—

23               “(A) shall limit the information required to  
24 be furnished to the Commission to that which  
25 is strictly necessary;

1                         “(B) with respect to an application for a li-  
2                         cense, petition for a grant of market access, or  
3                         application for an earth station—

4                         “(i) may not require the filing of any  
5                         information that is not directly material to  
6                         the considerations that affect the decision  
7                         on such application or petition; and

8                         “(ii) may require information about  
9                         new or additional facts that the Commis-  
10                         sion determines necessary to make its deci-  
11                         sion; and

12                         “(C) shall proactively reorient the applica-  
13                         tion and petitions systems of the Commission to  
14                         reduce the amount of information required of  
15                         applicants and petitioners that the Commission  
16                         has already collected.

17                         “(g) REPORT ON BACKLOG.—The Commission shall  
18                         submit to the relevant committees and the Committee on  
19                         Appropriations of the Senate and the Committee on Ap-  
20                         propriations of the House of Representatives an annual  
21                         report on the backlog of applications and petitions de-  
22                         scribed under subsection (c), including the number of ap-  
23                         plications that are outstanding for applicant companies  
24                         that no longer exist, until the later of 2 years after the

1 date of enactment of this section or such time as the back-  
2 log is reduced to processing times not exceeding 1 year.

3       “(h) RELATION TO EXPERIMENTAL AND AMATEUR  
4 USES.—This section shall not apply to any Commission  
5 authorization with respect to—

6           “(1) the experimental radio service; or  
7           “(2) the amateur radio service.”.

8       (b) RELATION TO OTHER LAW AMENDMENTS.—Sec-  
9 tion 309 of the Communications Act of 1934 (47 U.S.C.  
10 309) is amended—

11           (1) in subsection (j)(2)—

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

14              (B) by redesignating subparagraph (C) as  
15              subparagraph (D); and

16              (C) by inserting after subparagraph (B)  
17              the following:

18              “(C) for licenses or grants of market ac-  
19              cess granted under section 346; or”; and

20           (2) in subsection (k)—

21              (A) in the heading, by striking “**BROAD-**  
22              **CAST STATION RENEWAL PROCEDURES**”  
23              and inserting “RENEWAL PROCEDURES FOR  
24              CERTAIN AUTHORIZATIONS”;

25              (B) in paragraph (1)—

1 (i) in the matter preceding subparagraph  
2 graph (A)—

3 (I) by inserting “, the holder of  
4 a license or the recipient of a grant of  
5 market access granted under section  
6 346(c),” after “broadcast station”;

7 (II) by inserting “or grant” after  
8 “such license”;

9 (III) by striking “that station”  
0 and inserting “that licensee, recipient,  
1 or entity”; and

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

14 (ii) in subparagraph (A), by striking  
15 “the station” and inserting “in the case of  
16 a broadcast station, the station”;

17 (iii) in subparagraph (B), by inserting  
18 “, recipient, or entity” after “licensee”;  
19 and

20 (iv) in subparagraph (C), by inserting  
21 “, recipient, or entity” after “licensee”;

22 (C) in paragraph (2), by inserting “, or the  
23 holder of a license or the recipient of a grant  
24 of market access granted under section 346(c),”  
25 after “broadcast station”;

