

119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

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

A BILL

To expedite processing of satellite and space 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” or the “SAT Stream-
6 lining 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-

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

3 (2) the Federal Communications Commission
4 should take action within its remit to be forward-
5 looking and ensure the United States sustains global
6 leadership in commercial space, including advancing
7 and implementing cutting-edge policy positions so
8 that the United States is the global standard setter;

9 (3) coordination among relevant Federal agen-
10 cies is important to monitoring and minimizing
11 harm to the space environment so that these finite
12 resources may be well-utilized to the benefit of fu-
13 ture generations of Americans; and

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-

1 ing of a petition for a grant of market access,
2 the Commission shall grant or deny the petition
3 for—

4 “(i) a non-geostationary orbit space
5 station market access; or

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.—

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

23 “(i) the Commission finds that there
24 are extraordinary circumstances involving
25 a danger to life or property or an action

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;

5 “(ii) the Commission finds that extra
6 time, not to exceed 90 days, is needed to
7 complete a non-geostationary space station
8 application processing round under the
9 terms in section 25.157 of title 47, Code of
10 Federal Regulations, or any successor reg-
11 ulation;

12 “(iii) the Commission publishes and
13 submits to the relevant committees a no-
14 tice that—

15 “(I) states the reasons of the
16 Commission for an extension; and

17 “(II) the length of the period of
18 the extension; or

19 “(iv) a lapse in appropriations occurs
20 with respect to the Commission granting
21 such applications.

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

24 “(i) an extension of a deadline for a
25 period that is more than 90 days; or

1 “(ii) more than 2 extensions of a
2 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—

19 “(i) if the Commission determines the
20 requirements under section 309(k) have
21 been met, grant the request for a term not
22 to exceed the length of—

23 “(I) the initial term; or

24 “(II) in the case of a renewal of
25 a grant of market access, 15 years;

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-

1 mission receives a completed request to modify
2 a license, the Commission shall grant the re-
3 quest if the request is limited only to modifica-
4 tions, 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

8 “(ii) otherwise do not substantially
9 modify the space or earth station author-
10 ized by the license.

11 “(B) EXCLUSION.—This paragraph does
12 not apply to a request to modify a license for—

13 “(i) the addition of an ancillary ter-
14 restrial component; or

15 “(ii) modifying the service offered
16 under the initial license granted pursuant
17 to paragraph (1) between fixed satellite
18 service and mobile satellite service.

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 subpara-
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”
10 and inserting “that licensee, recipient,
11 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”;

1 (D) in paragraph (3)—

2 (i) in the matter preceding subpara-
3 graph (A), by inserting “of a broadcast
4 station, a holder of a license, or a recipient
5 of a grant of market access granted under
6 section 346(c)” after “that a licensee”;

7 (ii) in subparagraph (A)—

8 (I) by inserting “, recipient, or
9 entity” after “licensee”; and

10 (II) by inserting “or 346” after
11 “section 308”; and

12 (iii) in subparagraph (B), by striking
13 “former licensee” and inserting “former li-
14 censee of a broadcast station or such appli-
15 cations for a license or grant of market ac-
16 cess filed under section 346(c) specifying
17 the information of the former licensee, re-
18 cipient, or entity”; and

19 (E) in paragraph (4), by inserting “or a
20 grant of market access” after “license”.