

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8255
OFFERED BY MR. PALLONE OF NEW JERSEY

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Satellite And Tele-
3 communications Streamlining Act” or the “SAT Stream-
4 lining Act”.

5 SEC. 2. RADIOFREQUENCY LICENSING AUTHORITY RELAT-
6 ING TO CERTAIN OPERATIONS.

7 (a) IN GENERAL.—Part I of title III of the Commu-
8 nications Act of 1934 (47 U.S.C. 301 et seq.) is amended
9 by adding at the end the following:

10 “SEC. 346. RADIOFREQUENCY LICENSING AUTHORITY RE-
11 LATING TO CERTAIN OPERATIONS.

12 “(a) RULES.—Not later than 1 year after the date
13 of the enactment of this section, the Commission shall
14 amend the rules of the Commission to establish—

15 “(1) policies with respect to satellite commu-
16 nications that promote the public interest, conven-
17 ience, and necessity, including through competition,
18 innovation, and efficient use of spectrum by entities

1 with covered authorizations, including by accounting
2 for advancements in technology capable of managing
3 interference concerns to the greatest extent prac-
4 ticable; and

5 “(2) what constitutes reportable foreign owner-
6 ship for purposes of subsection (m)(1).

7 “(b) APPLICATION FOR LICENSE.—

8 “(1) NGSO DETERMINATION REQUIRED.—

9 “(A) IN GENERAL.—

10 “(i) APPLICATIONS.—Except as pro-
11 vided in clause (ii), paragraph (4), and
12 subsection (l), not later than 1 year after
13 the date on which the Commission issues a
14 covered public notice with respect to a
15 written application described in subpara-
16 graph (B) that is submitted to the Com-
17 mission, the Commission shall determine
18 whether to grant or deny such application,
19 including any amendment to such applica-
20 tion.

21 “(ii) MAJOR AMENDMENTS.—Except
22 as provided in paragraph (4) and sub-
23 section (l), if a major amendment to an ap-
24 plication described in clause (i) is sub-
25 mitted to the Commission, the Commission

1 shall determine whether to grant or deny
2 such application, including such major
3 amendment and any other amendment to
4 such application, not later than 1 year
5 after the date on which the Commission
6 issues a covered public notice with respect
7 to such major amendment.

8 “(B) TYPES OF APPLICATIONS.—An appli-
9 cation described in this subparagraph is an ap-
10 plication for a license for covered
11 radiocommunication services using—

12 “(i) a nongeostationary orbit space
13 station or space stations;

14 “(ii) a blanket-licensed earth station
15 or earth stations that will operate with a
16 nongeostationary orbit space station or
17 space stations; or

18 “(iii) a nongeostationary orbit space
19 station or space stations and a blanket-li-
20 censed earth station or earth stations that
21 will operate with such nongeostationary
22 orbit space station or space stations.

23 “(2) GSO DETERMINATION REQUIRED.—

24 “(A) IN GENERAL.—

1 “(i) APPLICATIONS.—Except as pro-
2 vided in clause (ii), paragraph (4), and
3 subsection (l), not later than 1 year after
4 the date on which the Commission issues a
5 covered public notice with respect to a
6 written application described in subpara-
7 graph (B) that is submitted to the Com-
8 mission, the Commission shall determine
9 whether to grant or deny such application,
10 including any amendment to such applica-
11 tion.

12 “(ii) MAJOR AMENDMENTS.—Except
13 as provided in paragraph (4) and sub-
14 section (l), if a major amendment to an ap-
15 plication described in clause (i) is sub-
16 mitted to the Commission, the Commission
17 shall determine whether to grant or deny
18 such application, including such major
19 amendment and any other amendment to
20 such application, not later than 1 year
21 after the date on which the Commission
22 issues a covered public notice with respect
23 to such major amendment.

24 “(B) TYPES OF APPLICATIONS.—An appli-
25 cation described in this subparagraph is an ap-

1 plication for a license for covered
2 radiocommunication services using—

3 “(i) a geostationary orbit space sta-
4 tion or space stations;

5 “(ii) a blanket-licensed earth station
6 or earth stations that will operate with a
7 geostationary orbit space station or space
8 stations; or

9 “(iii) a geostationary orbit space sta-
10 tion or space stations and a blanket-li-
11 censed earth station or earth stations that
12 will operate with such geostationary orbit
13 space station or space stations.

14 “(3) TERM OF INITIAL LICENSE.—The term of
15 a license granted under this subsection may not ex-
16 ceed 20 years.

17 “(4) EXCEPTION.—In the case of an application
18 submitted under this subsection that is referred for
19 review under subsection (m), the Commission shall
20 extend the applicable deadline under paragraph (1)
21 or (2) by 180 days.

22 “(c) APPLICATION FOR GRANT OF MARKET AC-
23 CESS.—

24 “(1) NGSO DETERMINATION REQUIRED.—

25 “(A) IN GENERAL.—

1 “(i) APPLICATIONS.—Except as pro-
2 vided in clause (ii), after the date on which
3 the Commission issues a covered public no-
4 tice with respect to a written application
5 described in subparagraph (B) that is sub-
6 mitted to the Commission, the Commission
7 shall determine whether to grant or deny
8 such application, including any amendment
9 to such application.

10 “(ii) MAJOR AMENDMENTS.—If a
11 major amendment to an application de-
12 scribed in clause (i) is submitted to the
13 Commission, the Commission shall deter-
14 mine whether to grant or deny such appli-
15 cation, including such major amendment
16 and any other amendment to such applica-
17 tion, after the date on which the Commis-
18 sion issues a covered public notice with re-
19 spect to such major amendment.

20 “(B) TYPES OF APPLICATIONS.—An appli-
21 cation described in this subparagraph is an ap-
22 plication for market access within the United
23 States for covered radiocommunication services
24 using—

1 “(i) a nongeostationary orbit space
2 station or space stations;

3 “(ii) a blanket-licensed earth station
4 or earth stations that will operate with a
5 nongeostationary orbit space station or
6 space stations; or

7 “(iii) a nongeostationary orbit space
8 station or space stations and a blanket-li-
9 censed earth station or earth stations that
10 will operate with such nongeostationary
11 orbit space station or space stations.

12 “(2) GSO DETERMINATION REQUIRED.—

13 “(A) IN GENERAL.—

14 “(i) APPLICATIONS.—Except as pro-
15 vided in clause (ii), after the date on which
16 the Commission issues a covered public no-
17 tice with respect to a written application
18 described in subparagraph (B) that is sub-
19 mitted to the Commission, the Commission
20 shall determine whether to grant or deny
21 such application, including any amendment
22 to such application.

23 “(ii) MAJOR AMENDMENTS.—If a
24 major amendment to an application de-
25 scribed in clause (i) is submitted to the

1 Commission, the Commission shall deter-
2 mine whether to grant or deny such appli-
3 cation, including such major amendment
4 and any other amendment to such applica-
5 tion, after the date on which the Commis-
6 sion issues a covered public notice with re-
7 spect to such major amendment.

8 “(B) TYPE OF APPLICATION.—An applica-
9 tion described in this subparagraph is an appli-
10 cation for market access within the United
11 States for covered radiocommunication services
12 using—

13 “(i) a geostationary orbit space sta-
14 tion or space stations;

15 “(ii) a blanket-licensed earth station
16 or earth stations that will operate with a
17 geostationary orbit space station or space
18 stations; or

19 “(iii) a geostationary orbit space sta-
20 tion or space stations and a blanket-li-
21 censed earth station or earth stations that
22 will operate with such geostationary orbit
23 space station or space stations.

1 “(3) TERM OF INITIAL GRANT OF MARKET AC-
2 CESS.—The term of a grant of market access grant-
3 ed under this subsection may not exceed 20 years.

4 “(d) EARTH STATION AUTHORIZATION.—

5 “(1) DETERMINATION REQUIRED FOR CERTAIN
6 EARTH STATIONS.—

7 “(A) IN GENERAL.—

8 “(i) APPLICATIONS.—Except as pro-
9 vided in clause (ii), paragraph (2), and
10 subsection (l), not later than 1 year after
11 the date on which the Commission issues a
12 covered public notice with respect to a
13 written application described in subpara-
14 graph (B) that is submitted to the Com-
15 mission, the Commission shall determine
16 whether to grant or deny such application,
17 including any amendment to such applica-
18 tion.

19 “(ii) MAJOR AMENDMENTS.—Except
20 as provided in paragraph (2) and sub-
21 section (l), if a major amendment to an ap-
22 plication described in clause (i) is sub-
23 mitted to the Commission, the Commission
24 shall determine whether to grant or deny
25 such application, including such major

1 amendment and any other amendment to
2 such application, not later than 1 year
3 after the date on which the Commission
4 issues a covered public notice with respect
5 to such major amendment.

6 “(B) TYPES OF APPLICATIONS.—An appli-
7 cation described in this subparagraph is an ap-
8 plication for authorization to use an earth sta-
9 tion or earth stations to send signals to and re-
10 ceive signals from—

11 “(i) a nongeostationary orbit space
12 station or space stations operated under a
13 license granted under subsection (b)(1) or
14 a grant of market access granted under
15 subsection (c)(1); or

16 “(ii) a geostationary orbit space sta-
17 tion or space stations operated under a li-
18 cense granted under subsection (b)(2) or a
19 grant of market access granted under sub-
20 section (c)(2).

21 “(2) EXCEPTION.—In the case of an application
22 submitted under this subsection that is referred for
23 review under subsection (m), the Commission shall
24 extend the applicable deadline under paragraph (1)
25 by 180 days.

1 “(3) INAPPLICABILITY TO CERTAIN BLANKET-
2 LICENSED EARTH STATIONS.—This subsection does
3 not apply with respect to an earth station or earth
4 stations to the extent that the earth station or earth
5 stations will be blanket-licensed with a space station
6 or space stations, as described in subsection
7 (b)(1)(B)(ii), (b)(1)(B)(iii), (b)(2)(B)(ii),
8 (b)(2)(B)(iii), (c)(1)(B)(ii), (c)(1)(B)(iii),
9 (c)(2)(B)(ii), or (c)(2)(B)(iii).

10 “(e) RENEWAL OF LICENSE, GRANT OF MARKET AC-
11 CESS, OR AUTHORIZATION.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2) and subsection (l), not later than 180
14 days after the date on which the Commission issues
15 a covered public notice with respect to a written ap-
16 plication for renewal of a license granted under sub-
17 section (b), a grant of market access granted under
18 subsection (c), or an authorization granted under
19 subsection (d)—

20 “(A) if the Commission determines the re-
21 quirements under section 309(k) have been met,
22 the Commission shall grant such application,
23 including any amendment to such application,
24 and renew such license, grant of market access,
25 or authorization for a term not to exceed the

1 length of the initial term, beginning the day
2 after the date on which the preceding term of
3 such license, grant of market access, or author-
4 ization expires; or

5 “(B) the Commission shall make the deter-
6 mination described in section 309(k)(3) and
7 deny such application, including any amend-
8 ment to such application.

9 “(2) EXCEPTION.—In the case of an application
10 submitted under this subsection that is referred for
11 review under subsection (m), the Commission shall
12 extend the deadline under paragraph (1) by 180
13 days.

14 “(f) MAJOR MODIFICATIONS TO LICENSE, GRANT OF
15 MARKET ACCESS, OR AUTHORIZATION.—

16 “(1) IN GENERAL.—Except as provided in para-
17 graph (2) and subsection (l), not later than 1 year
18 after the date on which the Commission issues a cov-
19 ered public notice with respect to a written applica-
20 tion for a major modification described in section
21 100.142(c) of title 47, Code of Federal Regulations
22 (or any successor regulation) to a license granted
23 under subsection (b), a grant of market access
24 granted under subsection (c), or an authorization
25 granted under subsection (d), the Commission shall

1 determine whether to grant or deny such application,
2 including any amendment to such application.

3 “(2) EXCEPTION.—In the case of an application
4 submitted under this subsection that is referred for
5 review under subsection (m), the Commission shall
6 extend the deadline under paragraph (1) by 180
7 days.

8 “(g) EMERGENCY GRANT, RENEWAL, OR MODIFICA-
9 TION.—If the Commission finds that there are extraor-
10 dinary circumstances requiring temporary operations in
11 the public interest and that delay in the institution of such
12 temporary operations would seriously prejudice the public
13 interest, the Commission—

14 “(1) may grant, for a period not to exceed 180
15 days, in a manner and upon the terms the Commis-
16 sion shall by rule prescribe—

17 “(A) a license described in subsection (b),
18 a grant of market access described in sub-
19 section (c), or an authorization described in
20 subsection (d);

21 “(B) a renewal of a license, grant of mar-
22 ket access, or authorization described in sub-
23 paragraph (A); or

1 “(C) a modification of a license, grant of
2 market access, or authorization described in
3 subparagraph (A);

4 “(2) shall include with a grant made under this
5 subsection a statement of the reasons of the Com-
6 mission for making the grant;

7 “(3) may extend a grant made under this sub-
8 section for a period not to exceed 180 days; and

9 “(4) shall give expeditious treatment to any—

10 “(A) timely filed petition to deny a grant
11 under this subsection; or

12 “(B) timely filed petition for reconsider-
13 ation under section 405 with respect to a grant
14 made under this subsection.

15 “(h) PREEMPTION OF STATE OR LOCAL REGULA-
16 TION OF RATES CHARGED.—

17 “(1) IN GENERAL.—Notwithstanding any other
18 provision of law, a State or local government may
19 not regulate the rates charged by—

20 “(A) an applicant or licensee with respect
21 to a license granted under subsection (b);

22 “(B) an applicant or grantee with respect
23 to a grant of market access granted under sub-
24 section (c); or

1 “(C) an applicant or entity with respect to
2 an authorization granted under subsection (d).

3 “(2) CLARIFICATION.—Paragraph (1) does not
4 prohibit a State or local government from regulating
5 the terms and conditions of a licensee, grantee, or
6 entity described in such paragraph, other than the
7 rates charged by such licensee, grantee, or entity.

8 “(i) REGULATORY RESTRAINT.—

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

13 “(A) shall limit the information required to
14 be furnished to the Commission to that which
15 is strictly necessary; and

16 “(B) with respect to an application sub-
17 mitted under subsection (b), (c), (d), (e), or
18 (f)—

19 “(i) may not require the submission of
20 any information that previously has been
21 furnished to the Commission or that is not
22 directly material to the considerations that
23 affect the granting or denial of such appli-
24 cation; and

1 “(ii) may require information about
2 new or additional facts that the Commis-
3 sion determines necessary to make its find-
4 ings.

5 “(2) DEADLINE FOR PETITION DETERMINA-
6 TION.—If an applicant for a license or a licensee
7 under subsection (b), an applicant for a grant of
8 market access or a grantee under subsection (c), or
9 an applicant for an authorization or entity with an
10 authorization under subsection (d) files a petition
11 under part 1 of title 47, Code of Federal Regula-
12 tions (or any successor regulation) relating to infor-
13 mation required to be furnished to the Commission
14 under this section, the Commission shall grant or
15 deny the petition not later than 90 days after the
16 date on which the petition is filed.

17 “(j) RELATION TO EXPERIMENTAL AND AMATEUR
18 USES.—This section does not apply to any Commission
19 authorization in—

20 “(1) the experimental radio service; or

21 “(2) the amateur radio service.

22 “(k) COMPLETENESS.—

23 “(1) IN GENERAL.—Not later than 30 days
24 after receiving a written application submitted under
25 subsection (b), (c), or (d), a major amendment to

1 such an application, or a written application sub-
2 mitted under subsection (e) or (f), the Commission
3 shall—

4 “(A) determine whether—

5 “(i) such application or major amend-
6 ment contains all of the information re-
7 quired to be submitted with such applica-
8 tion or major amendment under the first
9 sentence of section 308(b); and

10 “(ii) the applicant has paid the fee, if
11 any, required under section 8 in connection
12 with such application or major amendment;
13 and

14 “(B) either—

15 “(i) if both determinations under sub-
16 paragraph (A) are in the affirmative, issue
17 a covered public notice with respect to such
18 application or major amendment; or

19 “(ii) if either determination under
20 subparagraph (A) is in the negative, pro-
21 vide notice to the applicant of the negative
22 determination, including the information
23 required to be submitted that was not sub-
24 mitted, the amount of the application fee
25 due, or both, as applicable.

1 “(2) INACTION BY COMMISSION.—If the Com-
2 mission does not comply with paragraph (1) with re-
3 spect to an application or major amendment by the
4 deadline specified in such paragraph, the Commis-
5 sion shall be deemed for purposes of subsection (b),
6 (c), (d), (e), or (f), as applicable, to have issued a
7 covered public notice with respect to such application
8 or major amendment on the date that is 31 days
9 after the date on which such application or major
10 amendment was received.

11 “(1) TOLLING.—

12 “(1) IN GENERAL.—Except as provided in sub-
13 sections (b)(4), (d)(2), (e)(2), and (f)(2), the Com-
14 mission may extend a deadline under subsection (b),
15 (d), (e), or (f) for consideration of an application
16 submitted under such subsection only if—

17 “(A) the Commission finds that there are
18 extraordinary circumstances requiring addi-
19 tional time for consideration of such applica-
20 tion; and

21 “(B) the Commission publishes and sub-
22 mits to the Committee on Commerce, Science,
23 and Transportation of the Senate and the Com-
24 mittee on Energy and Commerce of the House

1 of Representatives a notice of the finding de-
2 scribed in subparagraph (A) that states—

3 “(i) the reasons of the Commission for
4 the extension; and

5 “(ii) the length of the period of the
6 extension.

7 “(2) LENGTH.—The Commission may not grant
8 under paragraph (1) an extension of a deadline for
9 a period that exceeds 90 days.

10 “(3) LIMIT ON EXTENSIONS.—The Commission
11 may not grant under paragraph (1) more than 2 ex-
12 tensions of the same deadline with respect to a par-
13 ticular application.

14 “(m) REVIEW FOR NATIONAL SECURITY AND LAW
15 ENFORCEMENT CONCERNS.—

16 “(1) REVIEW REQUIRED FOR ENTITIES WITH
17 REPORTABLE FOREIGN OWNERSHIP.—In the case of
18 an application under subsection (b), (c), (d), (e), or
19 (f), or an application for modification of a covered
20 authorization, that is submitted by an entity that
21 the Commission determines to have reportable for-
22 eign ownership, the Commission shall refer such ap-
23 plication to the Committee for the Assessment of
24 Foreign Participation in the United States Tele-
25 communications Services Sector established by Exec-

1 utive Order 13913 (85 Fed. Reg. 19643) (in this
2 subsection referred to as the ‘Committee’) for review
3 of national security and law enforcement concerns
4 that may be raised by such application.

5 “(2) REVIEW AT DISCRETION OF COMMIS-
6 SION.—In addition to the applications that the Com-
7 mission is required to refer to the Committee under
8 paragraph (1), the Commission may, in the discre-
9 tion of the Commission, refer any other application
10 under subsection (b), (c), (d), (e), or (f), or applica-
11 tion for modification of a covered authorization, to
12 the Committee for review of national security and
13 law enforcement concerns that may be raised by
14 such application.

15 “(n) DEEMED GRANTED.—If the Commission fails to
16 grant or deny an application, including any amendment
17 to such application, submitted under subsection (b), (d),
18 (e), or (f) by the deadline required by such subsection,
19 such application, including any amendment to such appli-
20 cation, shall be deemed granted on the date on which the
21 Commission receives from the applicant written notice of
22 the failure to grant or deny such application by the appli-
23 cable deadline.

24 “(o) DEFINITIONS.—In this section:

1 “(1) COVERED APPLICATION.—The term ‘cov-
2 ered application’ means an application for a license
3 or grant of market access to operate a system de-
4 scribed in subsection (b)(1)(B) or (c)(1)(B) that is
5 pending on the date of the enactment of this section.

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

8 “(A) a license or grant of market access
9 granted by the Commission to operate a system
10 described in subsection (b)(1)(B) or (c)(1)(B)
11 that is in effect on the date of the enactment
12 of this section; or

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

16 “(3) COVERED PUBLIC NOTICE.—The term
17 ‘covered public notice’ means, with respect to an ap-
18 plication submitted under subsection (b), (c), or (d),
19 a major amendment to such an application, or an
20 application submitted under subsection (e) or (f), a
21 public notice of the acceptance for filing issued or
22 deemed to have been issued under subsection (k).

23 “(4) COVERED RADIOCOMMUNICATION SERV-
24 ICE.—The term ‘covered radiocommunication serv-
25 ice’—

1 “(A) means a radiocommunication service
2 (as defined in the radio regulations of the Inter-
3 national Telecommunication Union that are in
4 force as of the date of the enactment of this
5 section (or any successor regulations)); and

6 “(B) does not include any radionavigation
7 or safety service specifically identified by the
8 Commission as a safety service for aeronautical
9 or maritime transportation.

10 “(5) MAJOR AMENDMENT.—The term ‘major
11 amendment’ means, with respect to an application
12 submitted under subsection (b), (c), or (d), an
13 amendment described in section 100.137(c) of title
14 47, Code of Federal Regulations (or any successor
15 regulation).”.

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

19 (1) in subsection (j)(2)—

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

22 (B) by redesignating subparagraph (C) as
23 subparagraph (D); and

24 (C) by inserting after subparagraph (B)
25 the following:

1 “(C) for licenses, grants of market access,
2 or authorizations granted under section 346;
3 or”; and

4 (2) in subsection (k)—

5 (A) in the heading, by striking “BROAD-
6 CAST STATION RENEWAL PROCEDURES” and
7 inserting “RENEWAL PROCEDURES FOR CER-
8 TAIN AUTHORIZATIONS”;

9 (B) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A)—

12 (I) by inserting “, the holder of
13 a license granted under section
14 346(b), the recipient of a grant of
15 market access granted under section
16 346(c), or an entity with authoriza-
17 tion granted under section 346(d)”
18 after “broadcast station”;

19 (II) by inserting “, grant, or au-
20 thorization” after “such license”;

21 (III) by striking “that station”
22 and inserting “that licensee, recipient,
23 or entity”; and

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

4 (ii) in subparagraph (A), by striking
5 “the station” and inserting “in the case of
6 a broadcast station, the station”;

7 (iii) in subparagraph (B), by inserting
8 “, recipient, or entity” after “licensee”;
9 and

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

12 (C) in paragraph (2), by inserting “, or the
13 holder of a license granted under section
14 346(b), the recipient of a grant of market ac-
15 cess granted under section 346(c), or an entity
16 with authorization granted under section
17 346(d),” after “broadcast station”;

18 (D) in paragraph (3)—

19 (i) in the matter preceding subpara-
20 graph (A), by inserting “of a broadcast
21 station, a holder of a license granted under
22 section 346(b), a recipient of a grant of
23 market access granted under section
24 346(c), or an entity with authorization

1 granted under section 346(d)” after “that
2 a licensee”;

3 (ii) in subparagraph (A)—

4 (I) by inserting “, recipient, or
5 entity” after “licensee”; and

6 (II) by inserting “or 346” after
7 “section 308”; and

8 (iii) in subparagraph (B), by striking
9 “former licensee” and inserting “former li-
10 censee of a broadcast station or such appli-
11 cations for a license, grant of market ac-
12 cess, or authorization as may be filed
13 under section 346(b), 346(c), or 346(d)
14 specifying the information of the former li-
15 censee, recipient, or entity”; and

16 (E) in paragraph (4), by inserting “, grant
17 of market access, or grant of an authorization”
18 after “license”.

19 (c) APPLICABILITY.—The amendments made by this
20 section shall apply with respect to any application sub-
21 mitted under subsection (b), (c), (d), (e), or (f) of section
22 346 of the Communications Act of 1934, as added by sub-
23 section (a), on or after the date of the enactment of this
24 Act.

