

Union Calendar No. 124

118TH CONGRESS
1ST SESSION

H. R. 682

[Report No. 118–156]

To facilitate access to electromagnetic spectrum for commercial space launches and commercial space reentries.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2023

Mr. SOTO (for himself and Mr. DUNN of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

JULY 25, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 31, 2023]

A BILL

To facilitate access to electromagnetic spectrum for commercial space launches and commercial space reentries.

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 “Launch Communica-*
5 *tions Act”.*

6 **SEC. 2. ACCESS TO SPECTRUM FOR COMMERCIAL SPACE**

7 **LAUNCHES AND REENTRIES.**

8 *(a) SERVICE RULES; ALLOCATION.—*

9 *(1) IN GENERAL.—Not later than 90 days after*
10 *the date of the enactment of this Act, the Commission*
11 *shall complete any proceeding in effect as of such date*
12 *of enactment related to the adoption of service rules*
13 *for access to the frequencies described in subsection (c)*
14 *for commercial space launches and commercial space*
15 *reentries, including technical specifications, eligibility*
16 *requirements, coordination procedures to preserve the*
17 *Nation’s defense capabilities, and the allocation on a*
18 *secondary basis of the frequencies described in sub-*
19 *section (c).*

20 *(2) COORDINATION WITH NATIONAL TELE-*
21 *COMMUNICATIONS AND INFORMATION ADMINISTRA-*
22 *TION.—The coordination procedures adopted under*
23 *paragraph (1) shall include requirements for persons*
24 *conducting commercial space launches and commer-*
25 *cial space reentries to coordinate with the Assistant*

1 *Secretary regarding access to the frequencies described*
2 *in subsection (c) for commercial space launches and*
3 *commercial space reentries.*

4 *(b) STREAMLINING OF PROCESS FOR GRANTING AU-*
5 *THORIZATIONS.—Not later than 180 days after the date of*
6 *the enactment of this Act, the Commission shall issue new*
7 *regulations to streamline the process for granting author-*
8 *izations for access to the frequencies described in subsection*
9 *(c) for commercial space launches and commercial space re-*
10 *entries so as to provide for—*

11 *(1) authorizations that include access to such fre-*
12 *quencies for multiple commercial space launches from*
13 *one or more Federal space launch sites and multiple*
14 *commercial space reentries to one or more Federal*
15 *space launch sites;*

16 *(2) authorizations that include access to such fre-*
17 *quencies for multiple commercial space launches from*
18 *one or more private space launch sites and multiple*
19 *commercial space reentries to one or more private*
20 *space launch sites;*

21 *(3) authorizations that include access to multiple*
22 *uses of such frequencies for commercial space launch*
23 *or commercial space reentry;*

24 *(4) automation of the processes of the Commis-*
25 *sion to review applications for authorizations for ac-*

1 *cess to such frequencies for commercial space launches*
2 *and commercial space reentries; and*

3 *(5) improved coordination by the Commission*
4 *with the Assistant Secretary (who shall coordinate*
5 *with the heads of such other Federal agencies as the*
6 *Assistant Secretary considers appropriate) to increase*
7 *the speed of review of applications for authorizations*
8 *for access to such frequencies for commercial space*
9 *launches and commercial space reentries.*

10 *(c) FREQUENCIES DESCRIBED.—The frequencies de-*
11 *scribed in this subsection are the following:*

12 *(1) The frequencies between 2025 and 2110*
13 *megahertz, between 2200 and 2290 megahertz, between*
14 *2360 and 2395 megahertz, and between 5650 and*
15 *5925 megahertz.*

16 *(2) Any additional frequencies identified by the*
17 *Commission (in coordination with the Assistant Sec-*
18 *retary, in the case of potential impact to Federal*
19 *spectrum use) as necessary to conduct commercial*
20 *space launches and commercial space reentries.*

21 *(d) RULES OF CONSTRUCTION.—*

22 *(1) FREQUENCY RANGES.—Each range of fre-*
23 *quencies described in this section shall be construed to*
24 *be inclusive of the upper and lower frequencies in the*
25 *range.*

1 (2) *SPECIAL TEMPORARY AUTHORITY.*—*Nothing*
2 *in this section may be construed to authorize or re-*
3 *quire elimination or limitation of, or any amendment*
4 *to, or otherwise to affect, special temporary authority,*
5 *as provided for by section 1.931 of title 47, Code of*
6 *Federal Regulations (or any successor regulation).*

7 *(e) DEFINITIONS.*—*In this section:*

8 (1) *ASSISTANT SECRETARY.*—*The term “Assist-*
9 *ant Secretary” means the Assistant Secretary of Com-*
10 *merce for Communications and Information.*

11 (2) *COMMERCIAL SPACE LAUNCH.*—*The term*
12 *“commercial space launch” means a launch licensed*
13 *under chapter 509 of title 51, United States Code.*

14 (3) *COMMERCIAL SPACE REENTRY.*—*The term*
15 *“commercial space reentry” means a reentry licensed*
16 *under chapter 509 of title 51, United States Code.*

17 (4) *COMMISSION.*—*The term “Commission”*
18 *means the Federal Communications Commission.*

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