

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. ROGERS OF ALABAMA**

At the end of subtitle F of title XVI, add the following new section:

1 **SEC. 16___ . HARMFUL INTERFERENCE TO DEPARTMENT**
2 **OF DEFENSE GLOBAL POSITIONING SYSTEM.**

3 (a) FINDINGS; SENSE OF CONGRESS.—

4 (1) FINDINGS.—Congress finds the following:

5 (A) A previous proposal to permit commer-
6 cial terrestrial operations in frequency bands
7 adjacent to the bands in which the Global Posi-
8 tioning System (in this subsection referred to as
9 “GPS”) operates, if permitted by the Federal
10 Communications Commission, would have cre-
11 ated widespread harmful interference with GPS
12 receivers used by the Department of Defense—
13 that proposal was withdrawn.

14 (B) The Federal Communications Commis-
15 sion is now considering, and has recently re-
16 leased, a public notice concerning a new pro-
17 posal, which currently has no known adverse
18 impacts to the Department of Defense and may

1 not have any adverse impacts to the Depart-
2 ment identified when the planned evaluations
3 are complete.

4 (C) The Department is working with the
5 Department of Transportation through its Ad-
6 jacent Band Study to evaluate this new pro-
7 posal and to conduct GPS-adjacent band com-
8 patibility testing.

9 (D) The Federal Communications Commis-
10 sion will analyze the report and public com-
11 ments before making a final recommendation
12 and before it issues a final decision, and pos-
13 sible rule-making.

14 (E) The Federal Communications Commis-
15 sion, the Department of Defense, and the De-
16 partment of Transportation are working to-
17 gether, cooperatively, to develop the technical
18 record to support a final recommendation on
19 the revised proposal.

20 (2) SENSE OF CONGRESS.—It is the sense of
21 Congress that—

22 (A) the cooperation among the Federal
23 Communications Commission, the Department
24 of Defense, and the Department of Transpor-

1 tation described in paragraph (1)(E) is encour-
2 aging; and

3 (B) Congress supports the cooperative
4 process that is underway.

5 (b) FEDERAL COMMUNICATIONS COMMISSION CON-
6 DITIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.—

7 (1) PROHIBITION OF AUTHORIZATION FOR TER-
8 RESTRIAL OPERATIONS UNTIL GPS INTERFERENCE
9 ADDRESSED.—The Federal Communications Com-
10 mission shall not permit commercial terrestrial oper-
11 ations in the 1525–1559 megahertz band or the
12 1626.5–1660.5 megahertz band unless—

13 (A) either (whichever occurs first)—

14 (i) the Commission—

15 (I) resolves concerns of harmful
16 interference by such commercial ter-
17 restrial operations to covered GPS de-
18 vices, in accordance with paragraph
19 (2); and

20 (II) notifies the appropriate con-
21 gressional committees of such resolu-
22 tion; or

23 (ii) a period of one year elapses fol-
24 lowing the date of the enactment of this
25 Act; and

1 (B) a period of one year elapses following
2 the date of the notification under clause (i)(II)
3 of subparagraph (A) or the date specified in
4 clause (ii) of such subparagraph, as the case
5 may be.

6 (2) CONDITIONS TO AUTHORIZATION OF COM-
7 MERCIAL TERRESTRIAL OPERATIONS.—Prior to per-
8 mitting such commercial terrestrial operations under
9 paragraph (1), the Federal Communications Com-
10 mission shall duly consider the final report of the
11 adjacent band compatibility assessment conducted
12 by the Department of Transportation and other test-
13 ing and analysis being conducted in cooperation with
14 the Department of Defense. Such final report shall
15 be completed by not later than one year after the
16 date of the enactment of this Act.

17 (c) NOTICE TO CONGRESS.—At the conclusion of the
18 proceeding on such commercial terrestrial operations, the
19 Federal Communications Commission shall submit to the
20 appropriate congressional committees official copies of the
21 documents containing the final decision of the Commission
22 regarding whether to permit such commercial terrestrial
23 operations. If the decision is to permit such commercial
24 terrestrial operations, such documents shall contain or be

1 accompanied by an explanation of how the concerns de-
2 scribed in subsection (b)(1)(A) have been resolved.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Energy and Com-
7 merce and the Committee on Armed Services of
8 the House of Representatives; and

9 (B) the Committee on Commerce, Science,
10 and Transportation and the Committee on
11 Armed Services of the Senate.

12 (2) The term “covered GPS device” means a
13 Global Position System device of the Department of
14 Defense.

