

**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) FEDERAL COMMUNICATIONS COMMISSION CON-
4 DITIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.—
5 Part I of title III of the Communications Act of 1934 (47
6 U.S.C. 301 et seq.) is amended by adding at the end the
7 following:

8 **“SEC. 343. CONDITIONS ON COMMERCIAL TERRESTRIAL**
9 **OPERATIONS.**

10 “(a) IN GENERAL.—The Commission shall not per-
11 mit commercial terrestrial operations in the 1525–1559
12 megahertz band or the 1626.5–1660.5 megahertz band
13 until the date that is 90 days after the Commission re-
14 solves concerns of widespread harmful interference by
15 such operations in such band to covered GPS devices.

16 “(b) NOTICE TO CONGRESS.—

17 “(1) IN GENERAL.—At the conclusion of the
18 proceeding on such operations in such band, the

1 Commission shall submit to the congressional com-
2 mittees described in paragraph (2) official copies of
3 the documents containing the final decision of the
4 Commission regarding whether to permit such oper-
5 ations in such band. If the decision is to permit such
6 operations in such band, such documents shall con-
7 tain or be accompanied by an explanation of how the
8 concerns described in subsection (a) have been re-
9 solved.

10 “(2) CONGRESSIONAL COMMITTEES DE-
11 SCRIBED.—The congressional committees described
12 in this paragraph are the following:

13 “(A) The Committee on Energy and Com-
14 merce and the Committee on Armed Services of
15 the House of Representatives.

16 “(B) The Committee on Commerce,
17 Science, and Transportation and the Committee
18 on Armed Services of the Senate.

19 “(c) COVERED GPS DEVICE DEFINED.—In this sec-
20 tion, the term ‘covered GPS device’ means a Global Posi-
21 tion System device of the Department of Defense.”.

22 (b) SECRETARY OF DEFENSE REVIEW OF HARMFUL
23 INTERFERENCE.—

24 (1) REVIEW.—Not later than 90 days after the
25 date of the enactment of this Act, and every 90 days

1 thereafter until the date referred to in paragraph
2 (3), the Secretary of Defense shall conduct a review
3 to—

4 (A) assess the ability of covered GPS de-
5 vices to receive signals from Global Positioning
6 System satellites without widespread harmful
7 interference; and

8 (B) determine if commercial communica-
9 tions services are causing or will cause wide-
10 spread harmful interference with covered GPS
11 devices.

12 (2) NOTICE TO CONGRESS.—

13 (A) NOTICE.—If the Secretary of Defense
14 determines during a review under paragraph
15 (1) that commercial communications services
16 are causing or will cause widespread harmful
17 interference with covered GPS devices, the Sec-
18 retary shall promptly submit to the congres-
19 sional defense committees notice of such inter-
20 ference.

21 (B) CONTENTS.—The notice required
22 under subparagraph (A) shall include—

23 (i) a list and description of the cov-
24 ered GPS devices that are being or ex-

1 pected to be interfered with by commercial
2 communications services;

3 (ii) a description of the source of, and
4 the entity causing or expect to cause, the
5 interference with such receivers;

6 (iii) a description of the manner in
7 which such source or such entity is causing
8 or expected to cause such interference;

9 (iv) a description of the magnitude of
10 harm caused or expected to be caused by
11 such interference;

12 (v) a description of the duration of
13 and the conditions and circumstances
14 under which such interference is occurring
15 or expected to occur;

16 (vi) a description of the impact of
17 such interference on the national security
18 interests of the United States; and

19 (vii) a description of the plans of the
20 Secretary to address, alleviate, or mitigate
21 such interference, including the cost of
22 such plans.

23 (C) FORM.—The notice required under
24 subparagraph (A) shall be submitted in unclas-
25 sified form, but may include a classified annex.

1 (3) TERMINATION DATE.—The date referred to
2 in this paragraph is the earlier of—

3 (A) the date that is two years after the
4 date of the enactment of this Act; or

5 (B) the date on which the Secretary—

6 (i) determines that commercial com-
7 munications services are not causing any
8 widespread harmful interference with cov-
9 ered GPS devices; and

10 (ii) the Secretary submits to the con-
11 gressional defense committees notice of the
12 determination made under clause (i).

13 (c) COVERED GPS DEVICE DEFINED.—In this sec-
14 tion, the term “covered GPS device” means a Global Posi-
15 tion System device of the Department of Defense.

16 (d) CONFORMING REPEAL.—Section 911 of the Na-
17 tional Defense Authorization Act for Fiscal Year 2012
18 (Public Law 112–81; 125 Stat. 1534) is repealed.

