AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MR. TURNER OF OHIO

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

SEC. 16. PROTECTION OF GLOBAL POSITIONING SYSTEM AND L-BAND COMMERCIAL SATELLITE COMMUNICATIONS OPERATIONS.

(a) Stay of Order and Authorization.—The Order and Authorization approving the operation of a terrestrial communications network in the 1526–1536 megahertz band, the 1627.5–1637.5 megahertz band, and the 1646.5–1656.5 megahertz band that was adopted by the Commission on April 19, 2020 (FCC 20–48) shall have no force or effect—

(1) unless the Assistant Secretary and the Commission make the certification described in subsection (c)(2)(A); and

(2) if the Assistant Secretary and the Commission make such certification, until the date that is 90 days after the date on which the Assistant Secretary and the Commission submit the report under
subsection (c)(1) in which such certification is included.

(b) Testing.—

(1) In general.—The Assistant Secretary and the Commission shall jointly enter into an agreement with Sandia National Laboratories to conduct a test to independently examine the potential interference that the network described in subsection (a) may cause to the Global Positioning System and L-Band commercial satellite communications operations.

(2) Testing plan.—

(A) Development of plan.—Sandia National Laboratories shall develop a testing plan for the test to be conducted under paragraph (1).

(B) Sufficiency of plan.—The test under paragraph (1) may not be conducted until the Assistant Secretary and the Commission jointly submit to the covered congressional committees a certification that the testing plan developed under subparagraph (A)—

(i) was informed by the information described in each subclause of subparagraph (C)(i) and any information provided under subparagraph (D); and
(ii) is sufficient to address the interference concerns of the Global Positioning System and L-Band commercial satellite communications user communities while supporting the development of fifth generation wireless communications infrastructure.

(C) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Assistant Secretary and the Commission shall ensure that the testing plan developed under subparagraph (A) is informed by the following:

(I) Information from the Department of Defense needed to ensure that the test is representative of the Global Positioning System and L-Band commercial satellite communications uses of concern to military operations.

(II) Information from the Department of Agriculture needed to ensure that the test is representative of the Global Positioning System and L-
Band commercial satellite communications uses of concern to precision agriculture.

(III) Information from the Federal Aviation Administration needed to ensure that the test is representative of the Global Positioning System and L-Band commercial satellite communications uses of concern to civil aviation.

(IV) Information from the Department of Commerce needed to ensure that the test is representative of the Global Positioning System and L-Band commercial satellite communications uses of concern to commercial services.

(V) Information from the National Science Foundation needed to ensure that the test is representative of the Global Positioning System and L-Band commercial satellite communications uses of concern to the scientific research community.
(VI) Information from the National Highway Traffic Safety Administration and the National Telecommunications and Information Administration needed to ensure that the test is representative of the Global Positioning System and L-Band commercial satellite communications uses of concern for geolocation requirements for Next Generation 9–1–1 services (as defined in section 158(e) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e))).

(ii) REQUIREMENT TO PROVIDE INFORMATION.—The head of a Federal agency described in any subclause of clause (i) shall provide to the Assistant Secretary or the Commission, upon request, the information described in such subclause.

(D) INFORMATION FROM NETWORK OPERATOR.—The person authorized to operate the network described in subsection (a) may submit to the Assistant Secretary or the Commission
information to inform the development of the testing plan under subparagraph (A).

(3) ENGINEERING PRACTICES.—The Commission shall ensure that the test conducted under paragraph (1) is conducted using engineering practices agreed upon by technical experts of the National Telecommunications and Information Administration and the Commission.

(e) REPORT TO CONGRESS; CERTIFICATION.—

(1) REPORT.—Upon completion of the test under subsection (b)(1), the Assistant Secretary and the Commission shall jointly submit to the covered congressional committees a report on the results of such test and the potential to mitigate any interference that the network described in subsection (a) may cause to the Global Positioning System and L-Band commercial satellite communications operations.

(2) CERTIFICATION.—The Assistant Secretary and the Commission shall include in the report submitted under paragraph (1)—

(A) a certification, based on the test conducted under subsection (b)(1), that the Order and Authorization described in subsection (a) can be implemented without interference that
will degrade the performance of the Global Positioning System or L-Band commercial satellite communications operations; or

(B) if the Assistant Secretary and the Commission cannot make the certification described in subparagraph (A), a rationale for why such certification cannot be made.

(d) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) COVERED CONGRESSIONAL COMMITTEES.—The term “covered congressional committees” means the following:

(A) The Committee on Energy and Commerce of the House of Representatives.

(B) The Committee on Commerce, Science, and Transportation of the Senate.

(C) The Committee on Transportation and Infrastructure of the House of Representatives.

(D) The Committee on Armed Services of the House of Representatives.
(E) The Committee on Armed Services of the Senate.

(F) The Committee on Agriculture of the House of Representatives.

(G) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(H) The Committee on Science, Space, and Technology of the House of Representatives.

(4) L-BAND.—The term “L-Band” means the portion of the electromagnetic spectrum between the frequencies of 1,000 megahertz and 2,000 megahertz, inclusive.