

118TH CONGRESS
1ST SESSION

S. 1648

To facilitate access to the electromagnetic spectrum for commercial space launches and commercial space reentries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2023

Mr. SCHMITT (for himself and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To facilitate access to the electromagnetic spectrum for commercial space launches and commercial space reentries, and for other purposes.

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 ELECTROMAGNETIC SPECTRUM FOR**
7 **COMMERCIAL SPACE LAUNCHES AND REEN-**
8 **TRIES.**

9 (a) SERVICE RULES; ALLOCATION.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Commis-
3 sion shall—

4 (A) complete any proceeding in effect as of
5 such date of enactment related to the adoption
6 of service rules for access to the frequencies de-
7 scribed in subsection (c) for commercial space
8 launches and commercial space reentries, in-
9 cluding technical specifications, eligibility re-
10 quirements, and coordination procedures to pre-
11 serve the defense capabilities of the United
12 States; and

13 (B) allocate on a secondary basis such fre-
14 quencies for commercial space launches and
15 commercial space reentries.

16 (2) COORDINATION WITH NATIONAL TELE-
17 COMMUNICATIONS AND INFORMATION ADMINISTRA-
18 TION.—The coordination procedures adopted under
19 paragraph (1)(A) shall include requirements for per-
20 sons conducting commercial space launches and
21 commercial space reentries to coordinate with the
22 Assistant Secretary regarding access to the fre-
23 quencies described in subsection (c) for commercial
24 space launches and commercial space reentries.

1 (3) LIMITATION.—Access to the frequencies de-
2 scribed in subsection (c) in accordance with the serv-
3 ice rules adopted under subparagraph (A) of para-
4 graph (1), and the allocation of such frequencies
5 under subparagraph (B) of that paragraph, shall be
6 limited to the use of such frequencies for commercial
7 space launches and commercial space reentries.

8 (b) STREAMLINING OF PROCESS FOR GRANTING AU-
9 THORIZATIONS.—Not later than 180 days after the date
10 of the enactment of this Act, the Commission shall issue
11 new regulations to streamline the process for granting au-
12 thorizations for access to the frequencies described in sub-
13 section (c) for commercial space launches and commercial
14 space reentries so as to provide for—

15 (1) authorizations that include access to such
16 frequencies for multiple commercial space launches
17 from 1 or more Federal space launch sites and mul-
18 tiple commercial space reentries to 1 or more Fed-
19 eral space launch sites;

20 (2) authorizations that include access to such
21 frequencies for multiple commercial space launches
22 from 1 or more private space launch sites and mul-
23 tiple commercial space reentries to 1 or more private
24 space launch sites, upon successful coordination with
25 any Federal space launch site within a range for ac-

1 cess to such frequencies such that such a commercial
2 space launch or commercial space reentry would
3 cause harmful interference with Federal systems;

4 (3) authorizations that include access to mul-
5 tiple uses of such frequencies for commercial space
6 launch or commercial space reentry;

7 (4) automation of the processes of the Commis-
8 sion to review applications for authorizations for ac-
9 cess to such frequencies for commercial space
10 launches and commercial space reentries; and

11 (5) improved coordination by the Commission
12 with the Assistant Secretary (who shall coordinate
13 with the head of any other Federal agency, as the
14 Assistant Secretary considers appropriate) to in-
15 crease the speed of review of applications for author-
16 izations for access to such frequencies for commer-
17 cial space launches and commercial space reentries.

18 (c) FREQUENCIES DESCRIBED.—The frequencies de-
19 scribed in this subsection are the frequencies between
20 2025 and 2110 megahertz, between 2200 and 2290 mega-
21 hertz, and between 2360 and 2395 megahertz.

22 (d) RULE OF CONSTRUCTION.—Each range of fre-
23 quencies described in this section shall be construed to be
24 inclusive of the upper and lower frequencies in the range.

25 (e) DEFINITIONS.—In this section:

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

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

7 (3) COMMERCIAL SPACE REENTRY.—The term
8 “commercial space reentry” means a reentry li-
9 censed under chapter 509 of title 51, United States
10 Code.

11 (4) COMMISSION.—The term “Commission”
12 means the Federal Communications Commission.

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