

RETAIN GPS and Satellite Communication Act

On Sunday, April 19th, the FCC adopted an Order allowing Ligado to repurpose spectrum adjacent to Global Positioning System (GPS) and satellite communications frequencies for a terrestrial cellular network—which threatens to cause interference with GPS and satellite communications that support military, aviation, farming, transportation construction, maritime, weather, and many other public and private sector activities and operations.

The FCC Order notes that “*Ligado shall expeditiously repair or replace as needed any U.S. Government GPS devices that experience or are likely to experience harmful interference from Ligado’s operations.*” Legislation is needed because the Order does not adequately address the full extent of its costs to federal agencies (and the American taxpayer). Federal agencies are responsible for ensuring reliable GPS and satellite communications necessary for safety of life operations. This legislation lists the costs Ligado must reimburse federal agencies for before they can operate.

While the FCC Order acknowledges the need to repair and replace public sector GPS devices that suffer interference, there is no acknowledging the impact to the private sector—and 99 percent of the GPS receivers are operated by the private sector and consumers. Legislation is needed to ensure this Order does not leave consumers holding the bag. The reliability of GPS and satellite communications is necessary for safety of life operations, national security and economic activity: commercial and civil aviation; first responders, 9-1-1 and other public safety operators; military readiness and communications; weather forecasting; the movement of goods on our highways; the marking maritime harbors and channels; farmers planting and harvesting crops; operation of construction and mining equipment—the list goes on and on.

This legislation, the “*Recognizing and Ensuring Taxpayer Access to Infrastructure Necessary for GPS and Satellite Communications Act*” ensures the costs incurred as a result of the FCC Order will be covered by the licensee.

Section 2: Order and Authorization

- Requires Ligado to satisfy additional conditions to the Federal Communications Commission prior to the FCC’s Ligado Order being effective.

Section 3: Conditions on Commercial Terrestrial Operations

- Requires a licensee to upgrade, repair, or replace impacted GPS and satellite receivers. These costs can include the modification, repair or replacement of equipment, spares, associated ancillary equipment, software, facilities, operating manuals, training, or compliance with regulations.
- Lists the costs incurred by a federal agency that must be reimbursed by the licensee
- Lists the costs incurred by a person or other private sector entity that must be reimbursed by the licensee
- Requires reimbursable expenses owed are retained by the holder of the licensee holder
- Ensures the licensee is able to reimburse federal agencies directly