

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4818

To revise the Land Remote Sensing Policy Act of 1992.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 1994

Mr. WALKER (for himself, Mr. BROWN of California, and Mr. BAKER of California) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To revise the Land Remote Sensing Policy Act of 1992.

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. AMENDMENTS.**

4       The Land Remote Sensing Policy Act of 1992 (15  
5       U.S.C. 5601 et seq.) is amended—

6               (1) by amending section 2(9) to read as follows:

7               “(9) Because Landsat data are particularly im-  
8       portant for global environmental change research,  
9       the program should be managed by an integrated  
10      team consisting of the National Aeronautics and  
11      Space Administration and the National Oceanic and

1 Atmospheric Administration and coordinated by the  
2 Office of Science and Technology Policy.”;

3 (2) in sections 3(6)(A), 101 (a) and (b),  
4 103(b), and 504, by striking “Secretary of Defense”  
5 and inserting in lieu thereof “Secretary”;

6 (3) in section 3(6)(B), by striking “Department  
7 of Defense” and inserting in lieu thereof “Depart-  
8 ment of Commerce”;

9 (4) in section 101(b)(1), by striking “, with the  
10 addition of a tracking and data relay satellite com-  
11 munications capability”;

12 (5) in section 101(b)(2), by striking all after  
13 “baseline funding profile” and inserting in lieu  
14 thereof “for the development and operational life of  
15 Landsat 7 that is mutually acceptable to the agen-  
16 cies constituting the Landsat Program Manage-  
17 ment;”;

18 (6) in section 101(b), by inserting after para-  
19 graph (4) the following:

20 “The Director of the Office of Science and Technology  
21 Policy shall, no later than October 1, 1994, transmit the  
22 management plan to the Committee on Science, Space,  
23 and Technology of the House of Representatives and the  
24 Committee on Commerce, Science, and Transportation of  
25 the Senate.”;

1           (7) in sections 101(c)(3), 202(b)(1), 501(a),  
2           and 502(c)(7), by striking “section 506” and insert-  
3           ing in lieu thereof “section 507”;

4           (8) in section 102(b)(1), by striking “by the ex-  
5           pected end of the design life of Landsat 6” and in-  
6           serting in lieu thereof “by the predicted end of life  
7           of Landsat 5, or as soon as practicable thereafter”;

8           (9) in section 103(a), by striking “section 105”  
9           and inserting in lieu thereof “section 104”;

10          (10) by striking section 104 and redesignating  
11          section 105 as section 104;

12          (11) in section 201(c)—

13                (A) by striking “120 days” and inserting  
14                in lieu thereof “90 days”; and

15                (B) by amending the second sentence  
16                thereof to read as follows: “If the Secretary de-  
17                termines that the license requested by the appli-  
18                cant should not be issued, the Secretary shall  
19                inform the applicant within such 90-day period  
20                of the reasons for such determination and the  
21                specific actions required of the applicant to ob-  
22                tain a license.”;

23          (12) in section 202(b)(6), by inserting “, other  
24          than for the sale of data generated by the system in

1       accordance with the license, that” after “of any  
2       agreement”;

3               (13) in section 204, by striking “may” and in-  
4       serting in lieu thereof “shall”;

5               (14) by inserting at the end of title II the fol-  
6       lowing new section:

7       **“SEC. 206. NOTIFICATION.**

8               “(a) LIMITATIONS ON LICENSEE.—Within 30 days  
9       after any determination by the Secretary to require a li-  
10       censee to limit collection or distribution of data from a  
11       system licensed pursuant to this title, the Secretary shall  
12       report to the Congress the reasons for such determination,  
13       the limitations imposed on the licensee, and the period  
14       during which such limitations apply.

15              “(b) TERMINATION, MODIFICATION, OR SUSPEN-  
16       SION.—Within 30 days after any action by the Secretary  
17       to seek an order of injunction or other judicial determina-  
18       tion to terminate, modify, or suspend a license pursuant  
19       to section 203(a)(2), the Secretary shall notify the Con-  
20       gress of such action and provide the reasons for such ac-  
21       tion.”;

22              (15) in section 302—

23                      (A) by striking “(a) GENERAL RULE.—”;

24                      and

25                      (B) by striking subsection (b);

1           (16) in section 506, by adding at the end the  
2       following new subsection:

3       “(e) FEES.—(1) The Federal Communications Com-  
4       mission shall ensure that any licensing or other fees that  
5       a person described in paragraph (2) is required to pay to  
6       such Commission shall be proportional to the cost to the  
7       Commission of the radio licensing process for such person  
8       relative to the cost to the Commission of licensing other  
9       entities subject to the fee. In no event shall such a fee  
10      be required in an amount greater than \$5,000 per ground  
11      station.

12      “(2) A person referred to in paragraph (1) is a pri-  
13      vate remote sensing space system operator subject to the  
14      licensing requirements of title II.”; and

15           (17) in section 507, by striking subsection (a)  
16      and subsection (b)(1) and inserting in lieu thereof  
17      the following:

18      “(a) RESPONSIBILITY OF SECRETARY OF DE-  
19      FENSE.—The Secretary shall consult with the Secretary  
20      of Defense on all matters under this Act affecting national  
21      security. Within 30 days after receiving a request from  
22      the Secretary, the Secretary of Defense shall recommend  
23      any conditions for a license issued under title II, consist-  
24      ent with this Act, that the Secretary of Defense deter-  
25      mines are needed to protect the national security of the

1 United States. If no such recommendations have been re-  
2 ceived by the Secretary within such 30-day period, the  
3 Secretary may deem activities proposed in the license ap-  
4 plication to be consistent with the protection of the na-  
5 tional security of the United States.

6 “(b) RESPONSIBILITY OF SECRETARY OF STATE.—

7 (1) The Secretary shall consult with the Secretary of State  
8 on all matters under this Act affecting international obli-  
9 gations of the United States. Within 30 days after receiv-  
10 ing a request from the Secretary, the Secretary of State  
11 shall recommend any conditions for a license issued under  
12 title II, consistent with this Act, that the Secretary of  
13 State determines are needed to meet existing international  
14 obligations of the United States. If no such recommenda-  
15 tions have been received by the Secretary within such 30-  
16 day period, the Secretary may deem activities proposed in  
17 the license application to be consistent with existing inter-  
18 national obligations of the United States.”.

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