

resolutions are necessary to give congressional consent to the States' compacts.

I would like to take a moment to commend the offices of Gov. Fob James of Alabama, Gov. Zell Miller of Georgia, and Gov. Lawton Chiles of Florida for their dedication to resolving outstanding issues between the States and the appropriate Federal agencies. I would also like to thank Alabama's chief negotiator during these deliberations, Walter Stevenson of the Alabama Department of Economic and Community Affairs.

I would like to remind my colleagues, as the sponsor of House Joint Resolution 92 and a cosponsor of House Joint Resolution 91, these bills have strong support from the States and near unanimous support from the congressional delegations of Georgia, Florida, and Alabama. House Joint Resolution 91 and House Joint Resolution 92 represent a tremendous step forward in establishing a process to fairly allocate the waters of the ACT and ACF basins between the States of Georgia and Alabama. This legislation, and the cooperative Federal-State negotiations upon which they are based, should be seen as a model for all similar conflict resolutions.

I thank the Speaker for yielding me this time and encourage all my colleagues to support this legislation.

Mr. BARR. Mr. Speaker, I want to begin by thanking Mr. HYDE and Mr. GEKAS of the Judiciary Committee and their staff for diligently working with me to bring this legislation to the floor. I would also like to commend the Governors and legislators of the three States involved—Georgia, Alabama, and Florida—as well as the Clinton administration, for tirelessly working to find the appropriate middle ground that has allowed us to move forward with this Federal enacting legislation.

I would like to make a brief statement about the importance of these two pieces of legislation, House Joint Resolutions 91 and 92. Although the language in House Joint Resolution 91 and House Joint Resolution 92 does not set forth the actual water allocations, these bills are vital to the water flow in this tristate region. House Joint Resolutions 91 and 92 will simply lay out the process by which the States, with the approval of the administration, will negotiate the final water allocation formulas.

Without the timely passage of these bills, many months of hard negotiations between the States and administration, and the legislative efforts of three States and their Governors would have been lost. It is important to point out that without Federal action by the end of the current year the legislation before us would have been void, and with so few legislative days remaining in this session I am glad to see this legislation pass the House.

Again, all the parties involved are in agreement with the legislation and ready to move forward. It is my hope that Congress will now lend its approval to these proposals and pass House Joint Resolutions 91 and 92.

Mr. EVERETT. Mr. Speaker, I rise in support of House Joint Resolution 92, a resolution to provide congressional approval of the interstate compact between Alabama and Georgia. Both of these States have worked hard in arriving at a water resource sharing solution that benefits each State. This resolution simply endorses this agreement.

The combined partnership will enhance water quality, deliver water allocations in a responsible manner, and promote interstate commerce. It has always been my belief that locally derived solutions and cooperation regarding the allocation of valuable resources, such as the Alabama-Coosa-Tallapoosa River, makes far better sense than a solution derived in Washington. I support House Joint Resolution 92 and encourage my colleagues to do the same.

Mr. NADLER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore [Mr. PACKARD]. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the joint resolution, House Joint Resolution 92, as amended.

The question was taken.

Mr. NADLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

COMMERCIAL SPACE ACT OF 1997

Mr. ROHRBACHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1702) to encourage the development of a commercial space industry in the United States, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Commercial Space Act of 1997".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

Sec. 101. Commercialization of space station.

Sec. 102. Commercial space launch amendments.

Sec. 103. Launch voucher demonstration program.

Sec. 104. Promotion of United States Global Positioning System standards.

Sec. 105. Acquisition of space science data.

Sec. 106. Administration of Commercial Space Centers.

TITLE II—REMOTE SENSING

Sec. 201. Land Remote Sensing Policy Act of 1992 amendments.

Sec. 202. Acquisition of earth science data.

TITLE III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES

Sec. 301. Requirement to procure commercial space transportation services.

Sec. 302. Acquisition of commercial space transportation services.

Sec. 303. Launch Services Purchase Act of 1990 amendments.

Sec. 304. Shuttle privatization.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "Administrator" means the Administrator of the National Aeronautics and Space Administration;

(2) the term "commercial provider" means any person providing space transportation services or other space-related activities, primary control of which is held by persons other than Federal, State, local, and foreign governments;

(3) the term "payload" means anything that a person undertakes to transport to, from, or within outer space, or in suborbital trajectory, by means of a space transportation vehicle, but does not include the space transportation vehicle itself except for its components which are specifically designed or adapted for that payload;

(4) the term "space-related activities" includes research and development, manufacturing, processing, service, and other associated and support activities;

(5) the term "space transportation services" means the preparation of a space transportation vehicle and its payloads for transportation to, from, or within outer space, or in suborbital trajectory, and the conduct of transporting a payload to, from, or within outer space, or in suborbital trajectory;

(6) the term "space transportation vehicle" means any vehicle constructed for the purpose of operating in, or transporting a payload to, from, or within, outer space, or in suborbital trajectory, and includes any component of such vehicle not specifically designed or adapted for a payload;

(7) the term "State" means each of the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

(8) the term "United States commercial provider" means a commercial provider, organized under the laws of the United States or of a State, which is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Transportation finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

(II) providing no barriers, to companies described in subparagraph (A) with respect to local investment opportunities, that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

TITLE I—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

SEC. 101. COMMERCIALIZATION OF SPACE STATION.

(a) **POLICY.**—The Congress declares that a priority goal of constructing the International Space Station is the economic development of Earth orbital space. The Congress further declares that free and competitive markets create the most efficient conditions for promoting economic development, and should therefore govern the economic development of Earth orbital space. The Congress further declares that the use of free market principles in operating, servicing, allocating the use of, and adding capabilities to the Space Station, and the resulting full-est possible engagement of commercial providers and participation of commercial users, will reduce Space Station operational costs for all partners and the Federal Government's share of the United States burden to fund operations.

(b) **REPORTS.**—(1) The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 90 days after the date of the enactment of this Act, a study that identifies and examines—

(A) the opportunities for commercial providers to play a role in International Space Station activities, including operation, use, servicing, and augmentation;

(B) the potential cost savings to be derived from commercial providers playing a role in each of these activities;

(C) which of the opportunities described in subparagraph (A) the Administrator plans to make available to commercial providers in fiscal year 1998 and 1999;

(D) the specific policies and initiatives the Administrator is advancing to encourage and facilitate these commercial opportunities; and

(E) the revenues and cost reimbursements to the Federal Government from commercial users of the Space Station.

(2) The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 180 days after the date of the enactment of this Act, an independently-conducted market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

(3) The Administrator shall deliver to the Congress, no later than the submission of the President's annual budget request for fiscal year 1999, a report detailing how many proposals (whether solicited or not) the National Aeronautics and Space Administration received during calendar year 1997 regarding commercial operation, servicing, utilization, or augmentation of the International Space Station, broken down by each of these four categories, and specifying how many agreements the National Aeronautics and Space Administration has entered into in response to these proposals, also broken down by these four categories.

(4) Each of the studies and reports required by paragraphs (1), (2), and (3) shall include consideration of the potential role of State governments as brokers in promoting commercial participation in the International Space Station program.

SEC. 102. COMMERCIAL SPACE LAUNCH AMENDMENTS.

(a) **AMENDMENTS.**—Chapter 701 of title 49, United States Code, is amended—

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

“70104. Restrictions on launches, operations, and reentries.”;

(B) by amending the item relating to section 70108 to read as follows:

“70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries.”;

(C) by amending the item relating to section 70109 to read as follows:

“70109. Preemption of scheduled launches or reentries.”;

and

(D) by adding at the end the following new items:

“70120. Regulations.

“70121. Report to Congress.”.

(2) in section 70101—

(A) by inserting “microgravity research,” after “information services,” in subsection (a)(3);

(B) by inserting “, reentry,” after “launching” both places it appears in subsection (a)(4);

(C) by inserting “, reentry vehicles,” after “launch vehicles” in subsection (a)(5);

(D) by inserting “and reentry services” after “launch services” in subsection (a)(6);

(E) by inserting “, reentries,” after “launches” both places it appears in subsection (a)(7);

(F) by inserting “, reentry sites,” after “launch sites” in subsection (a)(8);

(G) by inserting “and reentry services” after “launch services” in subsection (a)(8);

(H) by inserting “reentry sites,” after “launch sites,” in subsection (a)(9);

(I) by inserting “and reentry site” after “launch site” in subsection (a)(9);

(J) by inserting “, reentry vehicles,” after “launch vehicles” in subsection (b)(2);

(K) by striking “launch” in subsection (b)(2)(A);

(L) by inserting “and reentry” after “conduct of commercial launch” in subsection (b)(3);

(M) by striking “launch” after “and transfer commercial” in subsection (b)(3); and

(N) by inserting “and development of reentry sites,” after “launch-site support facilities,” in subsection (b)(4);

(3) in section 70102—

(A) in paragraph (3)—

(i) by striking “and any payload” and inserting in lieu thereof “or reentry vehicle and any payload from Earth”;

(ii) by striking the period at the end of subparagraph (C) and inserting in lieu thereof a comma; and

(iii) by adding after subparagraph (C) the following:

“including activities involved in the preparation of a launch vehicle or payload for launch, when those activities take place at a launch site in the United States.”;

(B) in paragraph (5)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(ii) by inserting before subparagraph (B), as so redesignated by clause (i) of this subparagraph, the following new subparagraph:

“(A) activities directly related to the preparation of a launch site or payload facility for one or more launches.”;

(C) by inserting “or reentry vehicle” after “means of a launch vehicle” in paragraph (8);

(D) by redesignating paragraphs (10), (11), and (12) as paragraphs (14), (15), and (16), respectively;

(E) by inserting after paragraph (9) the following new paragraphs:

“(10) ‘reenter’ and ‘reentry’ mean to return or attempt to return, purposefully, a reentry vehicle and its payload, if any, from Earth orbit or from outer space to Earth.

“(11) ‘reentry services’ means—

“(A) activities involved in the preparation of a reentry vehicle and its payload, if any, for reentry; and

“(B) the conduct of a reentry.

“(12) ‘reentry site’ means the location on Earth to which a reentry vehicle is intended to return (as defined in a license the Secretary issues or transfers under this chapter).

“(13) ‘reentry vehicle’ means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from outer space to Earth, substantially intact.”; and

(F) by inserting “or reentry services” after “launch services” each place it appears in paragraph (15), as so redesignated by subparagraph (D) of this paragraph;

(4) in section 70103(b)—

(A) by inserting “AND REENTRIES” after “LAUNCHES” in the subsection heading;

(B) by inserting “and reentries” after “commercial space launches” in paragraph (1); and

(C) by inserting “and reentry” after “space launch” in paragraph (2);

(5) in section 70104—

(A) by amending the section designation and heading to read as follows:

“§70104. Restrictions on launches, operations, and reentries”;

(B) by inserting “or reentry site, or to reenter a reentry vehicle,” after “operate a launch site” each place it appears in subsection (a);

(C) by inserting “or reentry” after “launch or operation” in subsection (a)(3) and (4);

(D) in subsection (b)—

(i) by striking “launch license” and inserting in lieu thereof “license”;

(ii) by inserting “or reenter” after “may launch”;

(iii) by inserting “or reentering” after “related to launching”;

(E) in subsection (c)—

(i) by amending the subsection heading to read as follows: “PREVENTING LAUNCHES AND REENTRIES.—”;

(ii) by inserting “or reentry” after “prevent the launch”;

(iii) by inserting “or reentry” after “decides the launch”;

(6) in section 70105—

(A) by inserting “(1)” before “A person may apply” in subsection (a);

(B) by striking “receiving an application” both places it appears in subsection (a) and inserting in lieu thereof “accepting an application in accordance with criteria established pursuant to subsection (b)(2)(D)”;

(C) by adding at the end of subsection (a) the following: “The Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 30 days after any occurrence when a license is not issued within the deadline established by this subsection.

“(2) In carrying out paragraph (1), the Secretary may establish procedures for safety approvals of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel that may be used in conducting licensed commercial space launch or reentry activities.”;

(D) by inserting "or a reentry site, or the reentry of a reentry vehicle," after "operation of a launch site" in subsection (b)(1);

(E) by striking "or operation" and inserting in lieu thereof "or operation, or reentry" in subsection (b)(2)(A);

(F) by striking "and" at the end of subsection (b)(2)(B);

(G) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof "; and";

(H) by adding at the end of subsection (b)(2) the following new subparagraph:

"(D) regulations establishing criteria for accepting or rejecting an application for a license under this chapter within 60 days after receipt of such application."; and

(I) by inserting "including the requirement to obtain a license," after "waive a requirement" in subsection (b)(3);

(7) in section 70106(a)—

(A) by inserting "or reentry site" after "observer at a launch site";

(B) by inserting "or reentry vehicle" after "assemble a launch vehicle"; and

(C) by inserting "or reentry vehicle" after "with a launch vehicle";

(8) in section 70108—

(A) by amending the section designation and heading to read as follows:

"§ 70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries";

and

(B) in subsection (a)—

(i) by inserting "or reentry site, or reentry of a reentry vehicle," after "operation of a launch site"; and

(ii) by inserting "or reentry" after "launch or operation";

(9) in section 70109—

(A) by amending the section designation and heading to read as follows:

"§ 70109. Preemption of scheduled launches or reentries";

(B) in subsection (a)—

(i) by inserting "or reentry" after "ensure that a launch";

(ii) by inserting "reentry site," after "United States Government launch site";

(iii) by inserting "or reentry date commitment" after "launch date commitment";

(iv) by inserting "or reentry" after "obtained for a launch";

(v) by inserting "reentry site," after "access to a launch site";

(vi) by inserting "or services related to a reentry," after "amount for launch services"; and

(vii) by inserting "or reentry" after "the scheduled launch"; and

(C) in subsection (c), by inserting "or reentry" after "prompt launching";

(10) in section 70110—

(A) by inserting "or reentry" after "prevent the launch" in subsection (a)(2); and

(B) by inserting "or reentry site, or reentry of a reentry vehicle," after "operation of a launch site" in subsection (a)(3)(B);

(11) in section 70111—

(A) by inserting "or reentry" after "launch" in subsection (a)(1)(A);

(B) by inserting "and reentry services" after "launch services" in subsection (a)(1)(B);

(C) by inserting "or reentry services" after "or launch services" in subsection (a)(2);

(D) by inserting "or reentry" after "commercial launch" both places it appears in subsection (b)(1);

(E) by inserting "or reentry services" after "launch services" in subsection (b)(2)(C);

(F) by inserting after subsection (b)(2) the following new paragraph:

"(3) The Secretary shall ensure the establishment of uniform guidelines for, and con-

sistent implementation of, this section by all Federal agencies.";

(G) by striking "or its payload for launch" in subsection (d) and inserting in lieu thereof "or reentry vehicle, or the payload of either, for launch or reentry"; and

(H) by inserting "reentry vehicle," after "manufacturer of the launch vehicle" in subsection (d);

(12) in section 70112—

(A) in subsection (a)(1), by inserting "launch or reentry" after "(1) When a";

(B) by inserting "or reentry" after "one launch" in subsection (a)(3);

(C) by inserting "or reentry services" after "launch services" in subsection (a)(4);

(D) in subsection (b)(1), by inserting "launch or reentry" after "(1) A";

(E) by inserting "or reentry services" after "launch services" each place it appears in subsection (b);

(F) by inserting "applicable" after "carried out under the" in paragraphs (1) and (2) of subsection (b);

(G) by striking "Space, and Technology" in subsection (d)(1);

(H) by inserting "OR REENTRIES" after "LAUNCHES" in the heading for subsection (e);

(I) by inserting "or reentry site or a reentry" after "launch site" in subsection (e); and

(J) in subsection (f), by inserting "launch or reentry" after "carried out under a";

(13) in section 70113(a)(1) and (d)(1) and (2), by inserting "or reentry" after "one launch" each place it appears;

(14) in section 70115(b)(1)(D)(i)—

(A) by inserting "reentry site," after "launch site,"; and

(B) by inserting "or reentry vehicle" after "launch vehicle" both places it appears;

(15) in section 70117—

(A) by inserting "or reentry site, or to reenter a reentry vehicle" after "operate a launch site" in subsection (a);

(B) by inserting "or reentry" after "approval of a space launch" in subsection (d);

(C) by amending subsection (f) to read as follows:

"(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports, except that payloads launched pursuant to foreign trade zone procedures as provided for under the Foreign Trade Zones Act (19 U.S.C. 81a-81u) shall be considered exports with regard to customs entry."; and

(D) in subsection (g)—

(i) by striking "operation of a launch vehicle or launch site," in paragraph (1) and inserting in lieu thereof "reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site,"; and

(ii) by inserting "reentry," after "launch," in paragraph (2); and

(16) by adding at the end the following new sections:

"§ 70120. Regulations

"(a) IN GENERAL.—The Secretary of Transportation, within 9 months after the date of the enactment of this section, shall issue regulations to carry out this chapter that include—

"(1) guidelines for industry and State governments to obtain sufficient insurance coverage for potential damages to third parties;

"(2) procedures for requesting and obtaining licenses to launch a commercial launch vehicle;

"(3) procedures for requesting and obtaining operator licenses for launch;

"(4) procedures for requesting and obtaining launch site operator licenses; and

"(5) procedures for the application of government indemnification.

"(b) REENTRY.—The Secretary of Transportation, within 6 months after the date of the enactment of this section, shall issue a notice of proposed rulemaking to carry out this chapter that includes—

"(1) procedures for requesting and obtaining licenses to reenter a reentry vehicle;

"(2) procedures for requesting and obtaining operator licenses for reentry; and

"(3) procedures for requesting and obtaining reentry site operator licenses.

"§ 70121. Report to Congress

"The Secretary of Transportation shall submit to Congress an annual report to accompany the President's budget request that—

"(1) describes all activities undertaken under this chapter, including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and

"(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation."

(b) EFFECTIVE DATE.—The amendments made by subsection (a)(6)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by subsection (a)(6)(H).

SEC. 103. LAUNCH VOUCHER DEMONSTRATION PROGRAM.

Section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803) is amended—

(1) in subsection (a)—

(A) by striking "the Office of Commercial Programs within"; and

(B) by striking "Such program shall not be effective after September 30, 1995.";

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 104. PROMOTION OF UNITED STATES GLOBAL POSITIONING SYSTEM STANDARDS.

(a) FINDING.—The Congress finds that the Global Positioning System, including satellites, signal equipment, ground stations, data links, and associated command and control facilities, has become an essential element in civil, scientific, and military space development because of the emergence of a United States commercial industry which provides Global Positioning System equipment and related services.

(b) INTERNATIONAL COOPERATION.—In order to support and sustain the Global Positioning System in a manner that will most effectively contribute to the national security, public safety, scientific, and economic interests of the United States, the Congress encourages the President to—

(1) ensure the operation of the Global Positioning System on a continuous worldwide basis free of direct user fees; and

(2) enter into international agreements that promote cooperation with foreign governments and international organizations to—

(A) establish the Global Positioning System and its augmentations as an acceptable international standard; and

(B) eliminate any foreign barriers to applications of the Global Positioning System worldwide.

SEC. 105. ACQUISITION OF SPACE SCIENCE DATA.

(a) ACQUISITION FROM COMMERCIAL PROVIDERS.—In order to satisfy the scientific requirements of the National Aeronautics and Space Administration, and where practicable of other Federal agencies and scientific researchers, the Administrator shall to the

maximum extent possible acquire, where cost effective, space science data from a commercial provider.

(b) TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space science data by the Administrator shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space science data shall be considered to be a commercial item for purposes of such laws and regulations (including section 2306a of title 10, United States Code (relating to cost or pricing data), section 2320 of such title (relating to rights in technical data) and section 2321 of such title (relating to validation of proprietary data restrictions)).

(c) DEFINITION.—For purposes of this section, the term "space science data" includes scientific data concerning the elemental and mineralogical resources of the moon, asteroids, planets and their moons, and comets, microgravity acceleration, and solar storm monitoring.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(e) LIMITATION.—This section does not authorize the National Aeronautics and Space Administration to provide financial assistance for the development of commercial systems for the collection of space science data.

SEC. 106. ADMINISTRATION OF COMMERCIAL SPACE CENTERS.

The Administrator shall administer the Commercial Space Center program in a coordinated manner from National Aeronautics and Space Administration headquarters.

TITLE II—REMOTE SENSING

SEC. 201. LAND REMOTE SENSING POLICY ACT OF 1992 AMENDMENTS.

(a) FINDINGS.—The Congress finds that—

(1) a robust domestic United States industry in high resolution Earth remote sensing is in the economic, employment, technological, scientific, and national security interests of the United States;

(2) to secure its national interests the United States must nurture a commercial remote sensing industry that leads the world;

(3) the Federal Government must provide policy and regulations that promote a stable business environment for that industry to succeed and fulfill the national interest;

(4) it is the responsibility of the Federal Government to create domestic and international conditions favorable to the health and growth of the United States commercial remote sensing industry; and

(5) it is a fundamental goal of United States policy to support and enhance United States industrial competitiveness in the field of remote sensing, while at the same time protecting the national security concerns and international obligations of the United States.

(b) AMENDMENTS.—The Land Remote Sensing Policy Act of 1992 is amended—

(1) in section 2 (15 U.S.C. 5601)—

(A) by amending paragraph (5) to read as follows:

"(5) Commercialization of land remote sensing is a near-term goal, and should remain a long-term goal, of United States policy."

(B) by striking paragraph (6) and redesignating paragraphs (7) through (16) as paragraphs (6) through (15), respectively;

(C) in paragraph (11), as so redesignated by subparagraph (B) of this paragraph, by striking "determining the design" and all that follows through "international consortium" and inserting in lieu thereof "ensuring the continuity of Landsat quality data"; and

(D) by adding at the end the following new paragraph:

"(16) The United States should encourage remote sensing systems to promote access to land remote sensing data by scientific researchers and educators.";

(2) in section 101 (15 U.S.C. 5611)—

(A) in subsection (c)—

(i) by inserting "and" at the end of paragraph (6);

(ii) by striking paragraph (7); and

(iii) by redesignating paragraph (8) as paragraph (7); and

(B) in subsection (e)(1)—

(i) by inserting "and" at the end of subparagraph (A);

(ii) by striking ", and" at the end of subparagraph (B) and inserting in lieu thereof a period; and

(iii) by striking subparagraph (C);

(3) in section 201 (15 U.S.C. 5621)—

(A) by inserting "(1)" after "NATIONAL SECURITY.—" in subsection (b);

(B) in subsection (b)(1), as so redesignated by subparagraph (A) of this paragraph—

(i) by striking "No license shall be granted by the Secretary unless the Secretary determines in writing that the applicant will comply" and inserting in lieu thereof "The Secretary shall grant a license if the Secretary determines that the activities proposed in the application are consistent"; and

(ii) by inserting ", and that the applicant has provided assurances adequate to indicate, in combination with other information available to the Secretary that is relevant to activities proposed in the application, that the applicant will comply with all terms of the license" after "concerns of the United States";

(C) by adding at the end of subsection (b) the following new paragraph:

"(2) The Secretary, within 6 months after the date of the enactment of the Commercial Space Act of 1997, shall publish in the Federal Register a complete and specific list of all information required to comprise a complete application for a license under this title. An application shall be considered complete when the applicant has provided all information required by the list most recently published in the Federal Register before the date the application was first submitted. Unless the Secretary has, within 30 days after receipt of an application, notified the applicant of information necessary to complete an application, the Secretary may not deny the application on the basis of the absence of any such information.";

(D) in subsection (c), by amending the second sentence thereof to read as follows: "If the Secretary has not granted the license within such 120-day period, the Secretary shall inform the applicant, within such period, of any pending issues and actions required to be carried out by the applicant or the Secretary in order to result in the granting of a license.";

(E) in subsection (e)(2)(B), by striking "and the importance of promoting widespread access to remote sensing data from United States and foreign systems";

(4) in section 202 (15 U.S.C. 5622)—

(A) by striking "section 506" in subsection (b)(1) and inserting in lieu thereof "section 507";

(B) in subsection (b)(2), by striking "as soon as such data are available and on reasonable terms and conditions" and inserting in lieu thereof "on reasonable terms and conditions, including the provision of such data in a timely manner subject to United States national security and foreign policy interests";

(C) in subsection (b)(6), by striking "any agreement" and all that follows through "nations or entities" and inserting in lieu thereof "any significant or substantial agreement with new foreign customers"; and

(D) by inserting after paragraph (6) of subsection (b) the following:

"The Secretary may not seek to enjoin a company from entering into a foreign agreement the Secretary receives notification of under paragraph (6) unless the Secretary has, within 30 days after receipt of such notification, transmitted to the licensee a statement that such agreement is inconsistent with the national security or international obligations of the United States, including an explanation of such inconsistency.";

(5) in section 203(a)(2) (15 U.S.C. 5623(a)(2)), by striking "under this title and" and inserting in lieu thereof "under this title and/or";

(6) in section 204 (15 U.S.C. 5624), by striking "may" and inserting in lieu thereof "shall";

(7) in section 205(c) (15 U.S.C. 5625(c)), by striking "if such remote sensing space system is licensed by the Secretary before commencing operation" and inserting in lieu thereof "if such private remote sensing space system will be licensed by the Secretary before commencing its commercial operation";

(8) by adding at the end of title II the following new section:

"SEC. 206. NOTIFICATION.

"(a) LIMITATIONS ON LICENSEE.—Not later than 30 days after a determination by the Secretary to require a licensee to limit collection or distribution of data from a system licensed under this title, the Secretary shall provide written notification to Congress of such determination, including the reasons therefor, the limitations imposed on the licensee, and the period during which such limitations apply.

"(b) TERMINATION, MODIFICATION, OR SUSPENSION.—Not later than 30 days after an action by the Secretary to seek an order of injunction or other judicial determination pursuant to section 202(b) or section 203(a)(2), the Secretary shall provide written notification to Congress of such action and the reasons therefor.";

(9) in section 301 (15 U.S.C. 5631)—

(A) by inserting " , that are not being commercially developed" after "and its environment" in subsection (a)(2)(B); and

(B) by adding at the end the following new subsection:

"(d) DUPLICATION OF COMMERCIAL SECTOR ACTIVITIES.—The Federal Government shall not undertake activities under this section which duplicate activities available from the United States commercial sector, unless such activities would result in significant cost savings to the Federal Government, or are necessary for reasons of national security or international obligations.";

(10) in section 302 (15 U.S.C. 5632)—

(A) by striking "(a) GENERAL RULE.—";

(B) by striking " , including unenhanced data gathered under the technology demonstration program carried out pursuant to section 303," and inserting in lieu thereof "that is not otherwise available from the commercial sector"; and

(C) by striking subsection (b);

(11) by repealing section 303 (15 U.S.C. 5633);

(12) in section 401(b)(3) (15 U.S.C. 5641(b)(3)), by striking " , including any such enhancements developed under the technology demonstration program under section 303,";

(13) in section 501(a) (15 U.S.C. 5651(a)), by striking "section 506" and inserting in lieu thereof "section 507";

(14) in section 502(c)(7) (15 U.S.C. 5652(c)(7)), by striking "section 506" and inserting in lieu thereof "section 507"; and

(15) in section 507 (15 U.S.C. 5657)—

(A) by amending subsection (a) to read as follows:

"(a) RESPONSIBILITY OF THE SECRETARY OF DEFENSE.—The Secretary shall consult with

the Secretary of Defense on all matters under title II affecting national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this Act, necessary to meet national security concerns of the United States, and for notifying the Secretary promptly of such conditions. Not later than 60 days after receiving a request from the Secretary to review a completed application, the Secretary of Defense shall notify the Secretary and the licensee of, and describe in appropriate detail, any specific national security concerns of the United States that the Secretary of Defense determines are an appropriate reason for delaying, modifying, or rejecting a license application. The Secretary of Defense shall convey to the Secretary any conditions for a license issued under title II, consistent with this Act, that the Secretary of Defense determines necessary to meet the national security concerns of the United States. If no such notification has been received by the Secretary within such 60-day period, the Secretary shall deem that activities proposed in the license application meet the national security concerns of the United States.”;

(B) by striking subsection (b)(1) and (2) and inserting in lieu thereof the following:

“(b) RESPONSIBILITY OF THE SECRETARY OF STATE.—(1) The Secretary shall consult with the Secretary of State on all matters under title II affecting international obligations of the United States. The Secretary of State shall be responsible for determining those conditions, consistent with this Act, necessary to meet international obligations and policies of the United States and for notifying the Secretary promptly of such conditions. Not later than 60 days after receiving a request from the Secretary to review a completed application, the Secretary of State shall notify the Secretary and the licensee of, and describe in appropriate detail, any specific international obligations of the United States that the Secretary of State determines are an appropriate reason for delaying, modifying, or rejecting a license application. The Secretary of State shall convey to the Secretary any conditions for a license issued under title II, consistent with this Act, that the Secretary of State determines necessary to meet the international obligations of the United States. If no such notification has been received by the Secretary within such 60-day period, the Secretary shall deem that activities proposed in the license application meet the international obligations of the United States.

“(2) Appropriate United States Government agencies are authorized and encouraged to provide to developing nations, as a component of international aid, resources for purchasing remote sensing data, training, and analysis from commercial providers.”; and

(C) in subsection (d), by striking “Secretary may require” and inserting in lieu thereof “Secretary shall, where appropriate, require”.

SEC. 202. ACQUISITION OF EARTH SCIENCE DATA.

(a) ACQUISITION.—For purposes of meeting Government goals for Mission to Planet Earth, and in order to satisfy the scientific requirements of the National Aeronautics and Space Administration, and where practicable of other Federal agencies and scientific researchers, the Administrator shall to the maximum extent possible acquire, where cost-effective, space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(b) TREATMENT AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions by the Administrator of the data, services, distribution, and applications referred to in sub-

section (a) shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that such data, services, distribution, and applications shall be considered to be a commercial item for purposes of such laws and regulations (including section 2306a of title 10, United States Code (relating to cost or pricing data), section 2320 of such title (relating to rights in technical data) and section 2321 of such title (relating to validation of proprietary data restrictions)).

(c) STUDY.—(1) The Administrator shall conduct a study to determine the extent to which the baseline scientific requirements of Mission to Planet Earth can be met by commercial providers, and how the National Aeronautics and Space Administration will meet such requirements which cannot be met by commercial providers.

(2) The study conducted under this subsection shall—

(A) make recommendations to promote the availability of information from the National Aeronautics and Space Administration to commercial providers to enable commercial providers to better meet the baseline scientific requirements of Mission to Planet Earth;

(B) make recommendations to promote the dissemination to commercial providers of information on advanced technology research and development performed by or for the National Aeronautics and Space Administration; and

(C) identify policy, regulatory, and legislative barriers to the implementation of the recommendations made under this subsection.

(3) The results of the study conducted under this subsection shall be transmitted to the Congress within 6 months after the date of the enactment of this Act.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(e) ADMINISTRATION AND EXECUTION.—This section shall be carried out as part of the Commercial Remote Sensing Program at the Stennis Space Center.

TITLE III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES

SEC. 301. REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES.

(a) IN GENERAL.—Except as otherwise provided in this section, the Federal Government shall acquire space transportation services from United States commercial providers whenever such services are required in the course of its activities. To the maximum extent practicable, the Federal Government shall plan missions to accommodate the space transportation services capabilities of United States commercial providers.

(b) EXCEPTIONS.—The Federal Government shall not be required to acquire space transportation services under subsection (a) if, on a case-by-case basis, the Administrator or, in the case of a national security issue, the Secretary of the Air Force, determines that—

(1) a payload requires the unique capabilities of the space shuttle;

(2) cost effective space transportation services that meet specific mission requirements would not be reasonably available from United States commercial providers when required;

(3) the use of space transportation services from United States commercial providers poses an unacceptable risk of loss of a unique scientific opportunity;

(4) the use of space transportation services from United States commercial providers is inconsistent with national security objectives;

(5) the use of space transportation services from United States commercial providers is inconsistent with foreign policy purposes, or launch of the payload by a foreign entity serves foreign policy purposes, and a specific exception to the requirements of subsection (a) has been provided by a law, enacted after the date of the enactment of this Act, that contains no matter other than that exception;

(6) it is more cost effective to transport a payload in conjunction with a test or demonstration of a space transportation vehicle owned by the Federal Government; or

(7) a payload can make use of the available cargo space on a Space Shuttle mission as a secondary payload, and such payload is consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

The Administrator, in consultation with the Secretary of State and the Secretary of Transportation, may propose to the Congress that a specific exception described in paragraph (5) be enacted for a launch or class of launches. Any such proposal shall include a description of the foreign policy purposes that would be served by such an exception, and shall identify the impacts of such an exception on the commercial launch industry. Nothing in this subsection shall prevent the Administrator from planning or negotiating agreements with foreign entities for the launch of Federal Government payloads for foreign policy purposes, contingent on enactment of a specific exception described in paragraph (5).

(c) DELAYED EFFECT.—Subsection (a) shall not apply to space transportation services and space transportation vehicles acquired or owned by the Federal Government before the date of the enactment of this Act, or with respect to which a contract for such acquisition or ownership has been entered into before such date.

(d) HISTORICAL PURPOSES.—This section shall not be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

SEC. 302. ACQUISITION OF COMMERCIAL SPACE TRANSPORTATION SERVICES.

(a) TREATMENT OF COMMERCIAL SPACE TRANSPORTATION SERVICES AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space transportation services shall be considered to be a commercial item for purposes of such laws and regulations (including section 2306a of title 10, United States Code (relating to cost or pricing data), section 2320 of such title (relating to rights in technical data) and section 2321 of such title (relating to validation of proprietary data restrictions)).

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

SEC. 303. LAUNCH SERVICES PURCHASE ACT OF 1990 AMENDMENTS.

The Launch Services Purchase Act of 1990 (42 U.S.C. 2465b et seq.) is amended—

(1) by striking section 202;

(2) in section 203—

(A) by striking paragraphs (1) and (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively;

(3) by striking sections 204 and 205; and

(4) in section 206—

(A) by striking “(a) COMMERCIAL PAYLOADS ON THE SPACE SHUTTLE.—”; and

(B) by striking subsection (b).

SEC. 304. SHUTTLE PRIVATIZATION.

(a) **POLICY AND PREPARATION.**—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program. Such plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the National Aeronautics and Space Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the Space Shuttle fleet.

(b) **FEASIBILITY STUDY.**—The Administrator shall conduct a study of the feasibility of implementing the recommendation of the Independent Shuttle Management Review Team that the National Aeronautics and Space Administration transition toward the privatization of the Space Shuttle. The study shall identify, discuss, and, where possible, present options for resolving the major policy and legal issues that must be addressed before the Space Shuttle is privatized, including—

(1) whether the Federal Government or the Space Shuttle contractor should own the Space Shuttle orbiters and ground facilities;

(2) whether the Federal Government should indemnify the contractor for any third party liability arising from Space Shuttle operations, and, if so, under what terms and conditions;

(3) whether payloads other than National Aeronautics and Space Administration payloads should be allowed to be launched on the Space Shuttle, how missions will be prioritized, and who will decide which mission flies and when;

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads should be made ineligible for launch consideration;

(5) whether National Aeronautics and Space Administration and other Federal Government payloads should have priority over non-Federal payloads in the Space Shuttle launch assignments, and what policies should be developed to prioritize among payloads generally;

(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and

(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.

(c) **REPORT TO CONGRESS.**—Within 60 days after the date of the enactment of this Act, the National Aeronautics and Space Administration shall complete the study required under subsection (b) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. ROHRBACHER] and the gentleman from Alabama [Mr. CRAMER] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last month we marked the 40th anniversary of the beginning of the space age by recalling that day in 1957 when the Soviet Union orbited Sputnik, the world's first manmade satellite. We have accomplished a great deal in the last 40 years, largely through Federal spending. Because of that history, which is a history of the Federal Government's success in the space endeavor, we sometimes think that only the Government is capable of accomplishing missions in space.

As a result, Federal laws and policies are designed around space activities run by the Government for the Government. However, according to a recent study by the investment firm Spacevest and an accounting firm, that is KPMG Peat Marwick, global revenues from commercial space business now exceeds global revenues generated by Government outlays.

This is good news, for several reasons. It gives us a broader industrial base to support Federal space missions, lowering costs to taxpayers in the process. Second, it means that the American people are gaining access to a wide range of new space-related goods and services. Third, it means that the country is creating high-technology, high-paying aerospace jobs that are no longer dependent on Government spending for their existence. Finally, and perhaps most importantly, it means that our future in space is not bound by the Government's ability to spend money.

The spirit of American enterprise will take us to the stars. One problem that we still face is the fact that Government laws, policies, and regulations have not caught up with the way space is developing in the private sector. As a result, sometimes the Government inadvertently hinders commercial space activity. We need to change that so that the American business community can lead the way for the entire planet into space.

Fortunately, there has been bipartisan agreement that commercial space is and should be a vital part of America's space enterprise. Most recently, the Clinton administration has adopted several policies regarding space launch, remote sensing, and space-based navigation which help promote the national interest in commercial space.

We have introduced H.R. 1702 this year to capitalize on those policies and to incorporate some of the lessons we learned about commercial space over the last few years into law. The bill meets an urgent as well as near-term need to establish a regulatory framework that will allow commercial entities to reenter spacecraft and payloads from space to Earth.

Basically, what we are talking about here is allowing companies who are investing in reusable launch vehicles to legally operate this new type of exciting spacecraft that we believe will be

the basis of our whole space exploration utilization effort in the years ahead.

The bill improves the legal framework for commercial remote sensing by requiring that license applications be examined by Secretaries of Defense and State to ensure their consistency with U.S. national security and international obligations. However, we are also giving the Government hard deadlines to act upon these applications.

In business, time is money and it can make the difference between success or failure. The past failures of Federal departments to coordinate implementation of the Land Remote Sensing Policy Act in a timely fashion have made it difficult for U.S. companies to retake the international lead in commercial remote sensing from a multitude of other countries.

Finally, the bill we are discussing today requires the Government to purchase commercial space launch services instead of relying on burdensome procurement rules in the purchase of rockets themselves.

Mr. Speaker, the Commercial Space Act of 1997 is a culmination of 2 years of extensive bipartisan consultation and cooperation. It would not have been possible to bring this bill to the floor today without the real dedication and commitment by Members of both sides of the aisle and, I might say, on both sides of the aisle in the Subcommittee on Space and Aeronautics.

There are three significant changes in the bill. By working together, we have come up with these changes to meet the request by committee members since our markup. We add today a new section on shuttle privatization, which contains the same language as the Civilian Space Authorization Act the House passed this April. In it we direct NASA to prepare for the potential privatization of the space shuttle system.

In the bill's amendments to the Commerce Space Launch Act, the language addressing "launch not an export" has been modified to underscore the intent of the original language in the Commercial Space Launch Act of 1984. The committee intends that payloads launched pursuant to foreign trade zone procedures be considered as exports only for the purpose of customs entry procedures so that such payloads will be in complete compliance with the duty deferral program.

The third change, which we made at the request, I might add, of ranking member, the gentleman from California [Mr. BROWN], is to add an exception to the bill's mandate that the Federal Government purchase launch services from U.S. commercial providers. We allow for an exception for reasons of foreign policy purposes but with a requirement that Congress pass a law in order to approve the exception.

Mr. Speaker, I am proud to say that this bill is also a product of excessive consultation and cooperation with the Clinton administration. This bill

moved through the committee; and as it did, it attracted the attention of various bureaucrats, departments, and agencies.

During the markup, we have made over three dozen changes at the request of these agencies and will make several more today. In most cases, these changes improve the bill and we are happy and were happy to make them. In particular, the provisions that cause the administration the most concern have been changed.

For example, we deleted a requirement that the Defense Department and State Department publish lists of national security concerns and international obligations. We also added a reference to the international policies that exist in current law.

The other changes to this section include the promotion of greater access to remote sensing by scientific researchers and educators, making the current regulations for this growing industry consistent with the national security and foreign policy considerations of the United States, streamlining the application procedures for a commercial license so that the needs of the Government are addressed while ensuring that agencies are responsive to the highly competitive environment in the commercial sector.

In the sections on space science and Earth science data buys, we modified proposed language to include consideration of the data requirements of scientific researchers and other Federal agencies beyond NASA.

Finally, we made a change in the section on acquisition of commercial space transportation services to accommodate the Defense Department. Unfortunately, it has become clear that some Federal departments do not agree with either the President's own policy supporting commercial space development or the intent of Congress as expressed in previous laws supporting space enterprise. Those departments have asked us to make changes that have no other purpose than to fight bureaucratic turf battles or to enhance their own self-importance. We have rejected such changes.

Departments and agencies work for the American people, who have made it clear they want goods and services and the jobs of commercial space development is here and has been created here and to have these things done here instead of going overseas because of bureaucratic impediments.

These continued efforts by the entrenched Government bureaucrats to enhance their own power and, basically, these things conflict with the American people and our own national interest, and that national interest is that we lead the world in new space enterprise and industry.

As this bill moves through the Senate, we need to challenge our colleagues on the other side of the Capitol to be on guard against scare tactics by bureaucrats and by bureaucracies attempting to enhance their own power

by changing this bill. We must also challenge the President and Vice President, who have developed very sound policies that this bill supports. But we like them and we want to make sure they stick to their guns. We must challenge the White House to impose order on the interagency process and to reject the special pleas of bureaucratic interest to change the bill in order to enhance certain bureaucrats' own authority.

If the White House is serious about its public pronouncements on space policy, and I believe the White House is sincere in this, then it needs to bring all Federal agencies into line with the goals of the American people rather than subverting those goals to accommodate different power bureaucrats here in Washington, DC.

With the President's support and with the discipline to reject the pleas from special interests, especially those within Government, to modify this bill further, we can give the American people sound, bipartisan legislation that will help build a better future and ensure that America remains the No. 1 power in space and especially the No. 1 space commercial power. I would ask all of my colleagues in the House on both sides of the aisle to join us in this effort.

Finally, I would like to thank the gentleman from Alabama [Mr. CRAMER] for the hard work that he has put in. This has truly been a bipartisan effort, and I congratulate him for the hard work he has put in and thank him for that.

Mr. Speaker, I reserve the balance of my time.

□ 1430

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am privileged today to rise with the chairman of the Subcommittee on Space and Aeronautics in full support of the Commercial Space Act of 1997; that is, H.R. 1702, as amended. I want to say as well to the chairman of the Subcommittee on Space and Aeronautics, the chairman of the full committee, as well as the gentleman from California [Mr. BROWN], the ranking member, that it has been a pleasure to work with them on this very important piece of legislation.

Since the early years of the space age, successive Congresses and administrations have supported the development of a healthy, robust commercial space sector on a bipartisan basis. I think this that we are offering today is a reflection of that. As a result, we have already witnessed the explosive growth of the commercial satellite communications systems. This offers us so much potential, systems that have brought the rest of the world as close to us as the telephone and the television. Companies are investing billions of dollars to make sure that the next generation is able to benefit the way they should be able to benefit.

However, space commercialization is not just confined to the satellite communications. This Congress in years past has had an aggressive record of making sure that we were proactive in this area. Back in 1984, the Congress enacted the Commercial Space Launch Act. That led to the development of a U.S. commercial space launch industry that is competitive on a worldwide basis. Then again in 1992, we enacted the Land Remote Sensing Policy Act, which my colleague has detailed. This has kick-started the commercial remote sensing industry in this country and given us a tremendous lead and a tremendous advantage.

Today H.R. 1702, as amended, should be seen as another effort in those steps to help advance the commercial space sector. It includes a number of important provisions. In particular, I think a very important provision would allow the Department of Transportation to license reentry vehicle operations. That provision and other provisions are noncontroversial. There are provisions in there that would make sure that we move toward the eventual commercial operation of the reusable launch systems, the next generation of space transportation systems. I am someone who has long been a supporter of efforts to reduce the launch costs. I think it is very important to this country that we accomplish that. I am pleased that we are including such provisions, the licensing provisions, in H.R. 1702.

Mr. Speaker, again I want to thank the chairman of the Committee on Science, the chairman of the Subcommittee on Space and Aeronautics, and the gentleman from California [Mr. BROWN], the ranking member, for their diligence and years of work on this legislation and similar legislation. I think H.R. 1702, as amended, is a useful piece of legislation, and I urge its passage today.

Mr. Speaker, I reserve the balance of my time.

Mr. ROHRBACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California [Mr. BROWN], our ranking member, has been a tremendous asset to us in this bill and as with all bills dealing with space. I salute that ranking member. I also salute the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman. He has done a terrific job as the newest chairman of the Committee on Science. The gentleman from Alabama [Mr. CRAMER] and I have worked together. If there is any committee in Congress that exemplifies the spirit of bipartisan cooperation, I think it is our committee.

I think this piece of legislation is a very positive piece of legislation. It has been made better by that spirit of cooperation. I am sure we can work this way in the future, but I would like to extend my congratulations to the gentleman from Alabama [Mr. CRAMER], who also will be moving on to another

committee assignment on the Committee on Appropriations, so we are looking forward to bigger and better things from the gentleman from Alabama as well.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have enjoyed very much working with my colleague across the aisle. In my years here in Congress, I came to this Congress so I could be on this committee, we have accomplished a number of extraordinary things together. We have fought battles in the trenches; won most of them, but not all of them. I want to congratulate the gentleman as well and the gentleman from Wisconsin [Mr. SENSENBRENNER] as well as the gentleman from California [Mr. BROWN] for those years of service. I just hope that my move now to another committee will give me a chance to advance my work with the space issues as well.

Mr. BROWN of California. Mr. Speaker, I would like to rise in support of H.R. 1702, as amended, also known as the Commercial Space Act of 1997. This bill, while not perfect, represents another step in Congress's efforts to promote the development of a vibrant, growing commercial space sector.

In the forty years since the dawn of the Space Age, Congress has enacted a series of legislative measures that have helped to increase the private sector's role in satellite communications, launch services, and remote sensing. As a result, commercial space activities have become a significant component of the nation's economy, and they give every indication of being even more significant in the years ahead.

Mr. Speaker, I believe that America is best served by both a strong commercial space sector and a strong governmental commitment to space research and development. On the one hand, government should not try to compete with the private sector. On the other hand, the existence of a commercial space sector does not relieve the Federal government of its responsibility to undertake those activities that only it can and/or should carry out.

I believe that H.R. 1702, while a relatively modest bill, includes a number of useful provisions, especially those related to reentry vehicle licensing, launch operations, and commercial launch services. I would note that the version of H.R. 1702 that is under consideration today also contains an amendment intended to at least partially address a concern I had raised about the Union Calendar version of the bill.

Specifically, existing law allows NASA to undertake cooperative missions with other nations that involve flying U.S. government payloads on foreign launch vehicles. Such an option can provide significant benefits to both parties, lowering costs to each partner and allowing enhanced mission capabilities. To cite just one example, the law allowed the highly successful Topex-Poseidon Earth science mission to be conducted with the French. That law also makes possible other cooperative space and Earth science missions, as well giving us the flexibility we will need to most effectively resupply the International Space Station.

I strongly believe that the ability to undertake such cooperative missions is in our national interest. The Union Calendar version of H.R. 1702 would have deleted that provision from existing law. An amendment that is included in the bill before us today restores that provision, albeit with restrictions. While I wish that the amendment had simply reaffirmed existing law, I believe that it represents a positive step forward in addressing the issue. I want to express my appreciation to Chairman SENSENBRENNER for his willingness to work with me on this matter.

Mr. Speaker, I believe that, on balance, H.R. 1702 is a useful bill. I recognize that the Administration has several areas of continuing concern with the bill. I intend to work with the Chairman, the Administration, and our counterparts in the Senate to resolve any remaining differences and enact a commercial space bill during the 105th Congress.

I urge Members to suspend the rules and pass H.R. 1702, as amended.

Mr. CRAMER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore [Mr. PACKARD]. The question is on the motion offered by the gentleman from California [Mr. ROHRBACHER] that the House suspend the rules and pass the bill, H.R. 1702, as amended.

The question was taken.

Mr. CRAMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. ROHRBACHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1702.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADDITION OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1702

Mr. ROHRBACHER. Mr. Speaker, I ask unanimous consent that the names of the following members who were inadvertently not included as cosponsors of H.R. 1702 be placed in the RECORD at this point:

Mr. DOYLE of Pennsylvania;
Mr. HASTINGS from Florida; and
Mr. BRADY from Texas.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT OF 1997

Mr. BLILEY. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1839) to establish nationally uniform requirements regarding the titling and registration of salvage, non-repairable, and rebuilt vehicles, as amended.

The Clerk read as follows:

H.R. 1839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Salvage Motor Vehicle Consumer Protection Act of 1997".

SEC. 2. MOTOR VEHICLE TITLING AND DISCLOSURE REQUIREMENTS.

(a) AMENDMENT TO TITLE 49, UNITED STATES CODE.—Subtitle VI of title 49, United States Code, is amended by inserting a new chapter at the end:

"CHAPTER 333—AUTOMOBILE SAFETY AND TITLE DISCLOSURE REQUIREMENTS

"Sec.

"33301. Definitions.

"33302. Passenger motor vehicle titling.

"33303. Disclosure and label requirements on transfer of rebuilt salvage vehicles.

"33304. Report on funding.

"33305. Effect on State law.

"33306. Civil and criminal penalties.

"33307. Actions by States.

"§33301. Definitions

"(a) DEFINITIONS.—For the purposes of this chapter:

"(1) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' shall have the same meaning given such term by section 32101(10), except, notwithstanding section 32101(9), it shall include a multipurpose passenger vehicle (constructed on a truck chassis or with special features for occasional off-road operation), or a truck, other than a truck referred to in section 32101(10)(B), when that vehicle or truck is rated by the manufacturer of such vehicle or truck at not more than 10,000 pounds gross vehicle weight, and except further, it shall only include a vehicle manufactured primarily for use on public streets, roads, and highways.

"(2) SALVAGE VEHICLE.—The term 'salvage vehicle' means any passenger motor vehicle, other than a flood vehicle or a nonrepairable vehicle, which—

"(A) is a late model vehicle which has been wrecked, destroyed, or damaged, to the extent that the total cost of repairs to rebuild or reconstruct the passenger motor vehicle to its condition immediately before it was wrecked, destroyed, or damaged, and for legal operation on the roads or highways, exceeds 80 percent of the retail value of the passenger motor vehicle;

"(B) is a late model vehicle which has been wrecked, destroyed, or damaged, and to which an insurance company acquires ownership pursuant to a damage settlement (except in the case of a settlement in connection with a recovered stolen vehicle, unless such vehicle sustained damage sufficient to meet the damage threshold prescribed by subparagraph (A)); or

"(C) the owner wishes to voluntarily designate as a salvage vehicle by obtaining a salvage title, without regard to the level of damage, age, or value of such vehicle or any other factor, except that such designation by the owner shall not impose on the insurer of the passenger motor vehicle or on an insurer processing a claim made by or on behalf of the owner of the passenger motor vehicle any obligation or liability.

"(3) SALVAGE TITLE.—The term 'salvage title' means a passenger motor vehicle ownership document issued by the State to the owner of a salvage vehicle. A salvage title