The Clerk announced the following pair:

On this vote:
Mr. Calvert and Mr. McDade, for, with Mr. Yates against.

Ms. BROWN of Florida changed her vote from “nay” to “yea.”
Mr. MILLER of California changed his vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION
Mr. BISHOP. Mr. Speaker, I was unavoidably detained in Georgia today (October 5) due to a failure of aircraft equipment. This caused me to miss Roll Numbers 480, 481 and 482. Had I been present, I would have voted “no” on HR 4614, “yes” on HR 1154 and “yes” on HR 4655.

RECOMMITTAL OF CONFERENCE REPORT TO H.R. 4104, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999, TO COMMITTEE OF CONFERENCE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the conference report to accompany the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes, be recommitted to the Committee of Conference.

The Clerk read the title of the bill. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?
There was no objection.

ANNOUNCEMENT BY THE SPEAKER pro TEMPORE
The SPEAKER pro tempore. The Chair announces that any further roll call vote on suspensions will be postponed until tomorrow.

COMMERCIAL SPACE ACT OF 1998
Mr. ROHRBACHER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 572) providing for the consideration of the bill H.R. 1702 and the Senate amendment therefor.

The Clerk read as follows:

Resolved, That, upon the adoption of this resolution, the House shall be considered to have taken from the Speaker’s table the bill H.R. 1702 together with the Senate amendment thereto, and to have concurred in the Senate amendment with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
Sec. 101. Commercialization of Space Station.
Sec. 102. Commercial space launch responsibilities.
Sec. 103. Establishment of a 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.
Sec. 107. Sources of Earth science data.

TITLe II.—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES
Sec. 201. Requirement to procure commercial space transportation services.
Sec. 202. Acquisition of commercial space transportation services.
Sec. 203. Launch Services Purchase Act of 1990 amendments.
Sec. 204. Shuttle repair.
Sec. 205. Use of excess intercontinental ballistic missiles.

Section 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 services 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 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 companies 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, locating the use of, and adding capabilities to the Space Station, and the resulting fullest 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 savings to be derived from commercial providers playing a role in each of these activities;

(C) which of the opportunities described in subparagraph (A) is intended 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 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 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 2000, a report detailing how many proposals (whether solicited or not) the National Aeronautics and Space Administration received during the calendar years 1997 and 1998 regarding commercial operation, servicing, utilization, or augmentation of the International Space Station, broken down by each of these categories, and specifying how many agreements the National Aeronautics and Space Administration has entered into to implement 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 governors and others 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, by striking the entry "70103. Launch services."; and

(2) by amending the table of subparts, by redesignating the table of subparts, as so redesignated, after "70105. Launch opportunities," as the entry "70106. Launch site support facilities.";

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

"70104. Restrictions on launches, operations, and reentries.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(2) by amending the item relating to section 70105 to read as follows:

"70105. Preemption of scheduled launches or reentries.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(3) by amending the item relating to section 70106 to read as follows:

"70106. Launch site support facilities.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(2) by amending the item relating to section 70107 to read as follows:

"70107. Report to Congress.—"

(1) by striking all that follows "(A)" and inserting the following:

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

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

"70108. Prohibition, suspension, and end of operations of launch sites and reentry sites, and reentries.—"

(1) by striking all that follows "(A)" and inserting the following:

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

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

"70109. Preemption of scheduled launches or reentries.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(3) by amending the item relating to section 70110 to read as follows:

"70110. Regulations.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(4) by amending the item relating to section 70111 to read as follows:

"70111. Preemption of scheduled launches or reentries.—"

(1) by striking all that follows "(A)" and inserting the following:

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

(5) by amending the item relating to section 70112 to read as follows:

"70112. Report to Congress.—"

(1) by striking all that follows "(A)" and inserting the following:

"(A) activities involved in the preparation of a reentry vehicle and its payload, if any, for reentry; 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 that expires 60 days after receipt of such application; and"

(i) by inserting "on the basis of which a license was or is issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, and the issuance of such a license is or has been in the public interest," after "license, to be consistent with the effective date of final regulations made by subsection (a)(6)(B) shall take effect upon the effective date of final regulations prescribed by subsection (a)(6)(B) and and after October 1, 1995; and"

(4) section 70112(a)(4) as amended by subsection (a)(5) of section 70112(a) 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. 5903) is amended—

(1) in subsection (a), by striking "the Office of Commercial Programs within"; and

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

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

(a) FINDING.—The Congress finds that the Global Positioning System, including satellite signals, data links, and associated command and control facilities, has become an essential element in a 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;

(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 application of the Global Positioning System worldwide; and

(3) provide clear direction and adequate resources to the Assistant Secretary of Commerce for Communications and Information so that on an international basis the Assistant Secretary can—

§ 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 review and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and

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

(b) AUTHORIZATION OF APPROPRIATIONS.—

Section 70119 of title 49, United States Code, is amended to read as follows:

§ 70119. Authorization of appropriations

"(2) by striking subsection (1) and adding a new paragraph

"(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively."
(A) achieve and sustain efficient management of the electromagnetic spectrum used by the Global Positioning System; and
(B) protect that spectrum from disruption and interference;

SEC. 105. ACQUISITION OF SPACE SCIENCE DATA.
(a) ACQUISITION FROM COMMERCIAL PROVIDERS.—The Administrator shall, to the extent possible, acquire space science data, including data for educational requirements of the National Aeronautics and Space Administration, and where appropriate, of other Federal agencies and scientific researchers, acquired in a digital format and 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). For purposes of such law and regulations, space science data shall be considered to be a commercial item. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.
(c) DEFINITION.—For purposes of this section, the term "space science data" includes scientific data concerning—
(1) the elemental and mineralogical resources of the moon, asteroids, planets and their moons, and comets;
(2) microgravity acceleration; and
(3) 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 in Washington, D.C.

SEC. 107. SOURCES OF EARTH SCIENCE DATA.
(a) ACQUISITION.—The Administrator shall, to the extent possible and while satisfying the scientific or educational requirements of the National Aeronautics and Space Administration, and where appropriate, of other Federal agencies and scientific researchers, acquire, where appropriate, other Federal agencies and scientific researchers, 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 of Earth remote sensing data, services, distribution, and applications referred to in subsection (a) shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code). For purposes of such law and regulations, such data, services, distribution, and applications shall be considered to be a commercial item. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

(c) STUDY.—(1) The Administrator shall conduct a study to determine the extent to which the baseline scientific requirements of Earth Science 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 enabling them to meet the baseline scientific requirements of Earth Science;
(B) make recommendations to promote the dissemination to commercial providers of information on methodology 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 United States 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 standards.

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

(f) REMOTE SENSING.—
(1) APPLICATION CONTENTS.—Section 203(b) of the Land Remote Sensing Policy Act of 1992 (15 U.S.C. 5622(b)) is amended—
(A) by inserting "(1)" after "National Security"; and
(B) by adding at the end the following new paragraph:
"(2) The Secretary, within 60 days after the date of enactment of this Act, shall prepare an inventory of the existing land remote sensing capabilities of the Federal Government and shall transmit a report on such inventory to the Congress."

(2) NOTIFICATION OF AGREEMENTS.—Section 203(b)(2) of the Land Remote Sensing Policy Act of 1992 (15 U.S.C. 5622(b)(2)) is amended by striking the second sentence and inserting the following:
"The Secretary shall notify the Administrator of all agreements with United States commercial providers to acquire or maintain space transportation vehicles for the purpose of meeting the requirements of a Federal Government agency or Federal Government agency, contract for purposes of this Act, or otherwise meets the requirements of this Act, as determined by the Secretary, and shall transmit a report on such agreements to the Congress."

SEC. 201. 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). For purposes of such law and regulations, space transportation services shall be considered to be a commercial item.

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

SEC. 203. LAUNCH SERVICES PURCHASE ACT OF 1990 AMENDMENTS.
The Launch Services Purchase Act of 1990 (42 U.S.C. 2463a et seq.) is amended—
(1) in section 202—
(A) by striking section 202; and
(B) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively;
(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) in section 204 and 205; and
(4) in section 206—
(A) by striking "(a) COMMERCIAL PAYLOADS ON THE SPACE SHUTTLE.étranger; and
(B) by striking subsection (b).

Sec. 204. SHUTTLE PRIVATIZATION.
(a) POLICY AND PREPARATION.—The Administrator shall develop a strategy to transfer, with appropriate safeguards, the function of launching the Space Shuttle 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 space transportation requirements for transportation to
and from Earth orbit, 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 these 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, and upgrading system modifications essential to the safe and economic operation of the Space Shuttle fleet.

(b) FEASIBILITY STUDY.—The Administrator shall submit a report on the feasibility of implementing the recommendation of the Independent Shuttle Management Review Team that the National Aeronautics and Space Administration transition to 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 or for any 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 missions files and when;

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads shall 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;

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

(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), 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.

SEC. 205. USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES.

(a) IN GENERAL.—The Federal Government shall not—

(1) convert any missile described in section (c) to a space transportation vehicle configuration;

(2) transfer ownership of any such missile to another person, except as provided in subsection (b);

(b) AUTHORIZED FEDERAL USES.—(1) A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if, except as provided in paragraph (b) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle transmits to the Committee on National Security and the Committee on Science of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile—

(A) would result in no savings to the Federal Government when compared to the cost of acquiring space transportation services from United States commercial providers;

(B) meets all mission requirements of the agency, including performance, schedule, and risk requirements;

(C) is consistent with international obligations of the United States; and

(D) is approved by the Secretary of Defense or his designee.

(2) The requirement under paragraph (1) that the certification described in that paragraph must be transmitted at least 30 days before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.

(c) MISSELS REFERRED TO.— The missiles referred to in this section are missiles owned by the United States by—

(1) were formerly used by the Department of Defense for space or intercontinental ballistic missile purposes; and

(2) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.

SEC. 206. NATIONAL LAUNCH CAPABILITY STUDY.

(a) FINDINGS.—Congress finds that a robust satellite and launch industry in the United States serves the interest of the United States by—

(1) contributing to the economy of the United States;

(2) strengthening employment, technological, and scientific interests of the United States; and

(3) serving the foreign policy and national security interests of the United States.

(b) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of Defense.

(2) TOTAL POTENTIAL NATIONAL MISSION MODEL.—The term "total potential national mission model" means a model that—

(A) is determined by the Secretary, in consultation with the Administrator, to assess the total potential national missions to be conducted in the United States during a specified period of time; and

(B) includes all launches in the United States (including launches conducted on or off a Federal range).

(c) REQUIREMENTS FOR REPORT.—The report prepared under this section shall—

(1) identify opportunities for investment by non-Federal entities (including States and political subdivisions thereof) to assist the Federal Government in providing launch capabilities for the commercial space industry in the United States;

(2) identify 1 or more methods by which, if sufficient resources are available, if the public interest requires, if the United States is viable and competitive.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROHRABACHER) and the gentleman from Oregon (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROHRABACHER).

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

Mr. Speaker, this resolution takes from the Speaker’s desk H.R. 1702 as reported back by the Senate and passed with an amendment.

The Commercial Space Act of 1998 is a small legislative step that will enable giant leaps for America’s commercial space industry. It is the culmination of 3 years of extensive bipartisan consultation and cooperation within the Committee on Science, with the Senate Committee on Commerce, Science and Transportation, and with the administration as well.

I support the product of this effort and wish to thank the Members on both sides of the aisle and in the other chamber for their help in making this possible.

H.R. 1702 passed the House last year. The Senate passed an amended H.R.
I yield myself such time as I may consume.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. Weldon), who has worked long and hard on this piece of legislation.

Mr. Weldon of Florida. Mr. Speaker, I thank the chairman of the subcommittee for yielding time, and I rise in support of this legislation. I encourage all of my colleagues on both sides of the aisle to support and vote for this very important legislation.

I represent the east central coast of Florida, the area that includes Cape Canaveral and Kennedy Space Center. Years ago, most of the launches were for government purposes. But today the majority of launches from Cape Canaveral are for commercial satellites. These are telecommunications satellites that carry TV signals or telephone conversations as well as remote sensing satellites that can help American farmers better manage their crops and be more efficient and more productive.

That is what this legislation is all about, being more efficient and more productive, the use of space for the betterment of mankind, helping to create better jobs, using our tax dollars more efficiently.

This legislation will make it easier for everyone, from satellite or launch vehicle manufacturers to remote sensing and telecommunications service providers to better be able to do business in the 21st century. It will better enable American companies to compete in an increasingly competitive international marketplace. The space industry is an example of another industry that the United States essentially created, but like many industries that the United States has created, it is at risk of going overseas and no longer being in the United States. Therefore, this legislation is badly needed.

In particular, I would like to mention the section of the bill that deals with the feature regarding the licensing of commercial space vehicles that reenter the atmosphere. Today the only space
vehicle that regularly reenters the atmosphere is our Nation's space shuttle. But it is used for government missions and not for launching commercial satellites. There are several new launch vehicles in the developmental stage today, including the Lockheed Martin Venture Star that will launch commercial satellites and then return to earth, be refueled, refurbished and then launched again in a similar fashion to the way the space shuttle is handled. This legislation will better enable the government to license and regulate those types of launch vehicles.

Again, I rise in strong support. I commend the chairman of the subcommittee and ranking member, as well as the chairman and ranking member of the full committee for their work that they have done in support of this legislation.

Mr. GORDON. Mr. Speaker, I yield such time as he may consume to the gentleman from California. (Mr. Brown asked for the floor.) Members of this body on our space program.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. Speaker, when this bill was marked up in the subcommittee, we added a section which required that NASA administer the Commercial Space Center program from NASA headquarters. These centers are the primary mechanism by which NASA works to spark new commercial research and investment in space development, particularly regarding commercial research on the International Space Station. Because these centers are so important, the committee wanted to make sure that they were administered and funded in a fair and consistent way by NASA headquarters.

Mr. ROHRABACHER. Mr. Speaker, will the gentle giant yield?

Mr. BRADY of Texas. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Speaker, the gentleman is entirely correct. The committee was concerned that when NASA abolished its Office of Space Access and Technology, some of these Commercial Space Centers got lost in the shuffle. Some of them were placed under the management of and funded by NASA’s Office of Life and Microgravity Sciences and Applications, while others were turned over to various NASA field centers but without any money to fund them. While the Congress has no desire to tell NASA which Commercial Space Centers to fund, we do want to make sure that centers are not being harmed or even killed off because of hidden ad hoc decisions on management and funding. Section 106 of the Commercial Space Act requires that NASA administer, including providing visible and specified funding for, the Commercial Space Centers program.

Mr. BRADY of Texas. As the chairman of the subcommittee may know, the National Academy of Public Administration recently issued a study on the Commercial Space Center program which states that the role NASA headquarters should play in the Commercial Space Center program includes guidance, oversight, funding, and the clarification of expectations and specification of accountability.

Mr. ROHRABACHER. The gentleman raises an excellent point.
refers to confirms the need to apply fair and consistent standards in managing and funding important activities like the Commercial Space Center program, which is precisely the intent of section 106 of this bill. I promise the gentleman from Texas that we will continue to work with him and many other Members of the House to ensure that NASA headquarters develops and implements an effective system of administering this program, including providing funds for those centers which are performing well on the taxpayers’ behalf.

Mr. GORDON. Mr. Speaker, I have no more speakers. I simply close by saying this is a good bill, it deserves the strong support of this House, and I yield back the balance of my time.

Mr. ROHRA BACHER. Mr. Speaker, I yield myself such time as I may consume. This bill moves forward with very few ruffles and flourishes. Yet we should not miss the significance of what it represents and of what is happening here today.

Last week on October 1, the Subcommittee on Space and Aeronautics held a hearing on the occasion of NASA’s 40th anniversary. It seems almost like yesterday as Chairman Brown noted when Sputnik went up, but it also seems like generations ago when we saw NASA in its heyday in the early 1960s launching Americans into space. For most part, the early days of NASA’s history, at least the first two decades, and there has been an evolution since, for the most part, space was a government endeavor. During that early time, much of the impetus during the space race was brought on by a spirit of cooperation, if not a spirit of competition, that already exists and just is there to be exploited by mankind.

We are also developing new propulsion systems, and up until now rocks have been used to take mankind into space. In the future that will be different. In fact, the rockets that we use, we are developing new reusable rockets that will dramatically bring down the cost of getting into space via rockets, but at the same time we are developing new propulsion systems. For example, there is one that is based on a laser beam that will use the energy of the laser beam to transport an object, a satellite, into space so it does not have to carry its own fuel.

When these types of technologies are fully developed and we bring the full strength of the private sector, we will realize a new world, and we will realize a new opportunity on this world, and it is a very exciting time to be the chairman of this committee and to be a member of this committee, and again it represents, this dream represents, the best of bipartisanship in the House of Representatives.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I strongly favor this measure because it seeks to bolster our Nation’s space industry’s capabilities. By expanding our utilization of our commercial space industry, we foster a strong alliance between government and private-sector entities, an alliance that will propel America’s space program into the next millennium.

This bill bolsters our Nation’s space industry by establishing an incentive for the licensing of private reusable launch vehicles. Moreover, this piece of legislation alters the role of the National Aeronautics and
Space Administration (NASA) to promote private-sector involvement and competition in the development of industrial space products. By authorizing the Transportation Department's Office of Commercial Space Transportation to issue licenses to private companies for launching reusable space vehicles, this measure allows commercial entities to launch vehicles into space and pilot them back to earth. Currently, private companies are not permitted to pilot their vehicles back to earth after a launch.

Providing this authorization will foster the development of a strong, private-sector space transportation industry in our country. It is my hope that this sector of the space industry will result in cost-effective transport services to NASA and commercial companies. This measure also requires NASA to begin purchasing space transportation services from the private sector when such services are available. This portion of the bill has been carefully crafted to permit NASA autonomy when necessary. For instance, projects that require the unique capabilities of the space shuttle and sensitive national security projects would be exempted from the bill's requirement regarding NASA's utilization of private sector providers. More importantly, the use of commercial services would not be required for missions beyond Earth orbit, missions such as flights to the Moon, Mars, or beyond.

I also support this measure's advocacy of the U.S. Global Positioning System (GPS). This piece of legislation encourages the President to ensure the continued operation of the U.S. GPS navigation satellites on a world-wide basis. By promoting the U.S. GPS through international agreements, we can encourage our global partners to accept this extraordinary system as the international standard.

Finally, I believe that this measure's requirement that NASA plan for the potential privatization of the space shuttle is appropriate. The continued deployment of shuttle missions is imperative, and it is possible that private-sector corporations could provide more cost-efficient launches. By merging commercial and government resources, we could ensure that the space shuttle will remain a viable fixture in space exploration for many years to come. This measure appeals to all involved, and I am certain that cooperation between American Government and commercial entities will pave the way to the exploration of unimaginable frontiers.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROHRABACHER) that the House suspend the rules and agree to the resolution, H. Res. 572.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent that all the Members have 5 legislative days to revise and extend their remarks on House Resolution 572, the resolution just agreed to.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. R. 4570, OMNIBUS NATIONAL PARKS AND PUBLIC LANDS ACT OF 1996

Mr. McINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-770) on the resolution (H. Res. 573) providing for consideration of the bill (H.R. 4570) to provide for certain boundary adjustments and conveyances involving public lands, to establish and improve the management of certain heritage areas, historic areas, National Parks, wild and scenic rivers, and national trails, to protect communities by reducing hazardous fuels levels on public lands, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONCURRENCE REPORT ON H.R. 4194, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1999

Mr. McINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-777) on the resolution (H. Res. 574) waiving points of order against the conference report to accompany the bill (H.R. 4194) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING A REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. McINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-779) on the resolution (H. Res. 575) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. R. 4259, HASKELL INDIAN NATIONS UNIVERSITY AND SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE ADMINISTRATIVE SYSTEMS ACT OF 1998

Mr. McINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-779) on the resolution (H. Res. 576) providing for consideration of the bill (H.R. 4259) to allow Haskell Indian Nations University and the Southwestern Indian Polytechnic Institute each to conduct a demonstration project to test the feasibility and desirability of new personnel management policies and procedures, and for other purposes, which was referred to the House Calendar and ordered to be printed.

EXPORT APPLE ACT

Mr. EWING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4148) to amend the Export Apple and Pear Act to limit the applicability of the Act to apples.

The Clerk read as follows:

H.R. 4148

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

SECTION 1. SCOPE OF EXPORT APPLE AND PEAR ACT.

(a) SHORT TITLE.—The Act of June 10, 1933 (7 U.S.C. 581 et seq.; commonly known as the Export Apple and Pear Act), is amended by adding at the end the following new section:

"SEC. 11. This Act may be cited as the "Export Apple Act"."

(b) DEFINITION OF APPLES.—Section 9 of such Act (7 U.S.C. 589) is amended by striking paragraph (4) and inserting the following new paragraph:

"(4) The term 'apples' means fresh whole apples, whether or not the apples have been inspected."

(c) ELIMINATION OF REFERENCES TO PEARS.—Such Act is further amended—

(1) by striking "and/or pears" each place it appears in the first section and sections 5 and 6; and

(2) by striking "or pears" each place it appears in the first section and sections 2, 3, and 4.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. EWING) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. EWING).

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

Mr. Speaker, I rise in support of H.R. 4148, a bill that amends the Export Apple and Pear Act to exclude pears from this act. This is being done because farmers producing pears for export advise us that this action will benefit the industry's effort to increase exports of pears.

Additionally, the U.S. Department of Agriculture advised the Committee on Agriculture that mandatory Federal quality standards are no longer needed to assure the high quality of exported pears. USDA believes that the U.S.