

declares the House in recess until approximately 5 p.m. today.

Accordingly, (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1702

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 5 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SPACE LAUNCH LIABILITY INDEMNIFICATION EXTENSION ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3547) to extend the application of certain space launch liability provisions through 2014.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3547

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 "Space Launch Liability Indemnification Extension Act".

SEC. 2. INDEMNIFICATION EXTENSION.

Section 50915(f) of title 51, United States Code, is amended by striking "December 31, 2013" and inserting "December 31, 2014".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3547, the bill now under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

The bill we consider today provides stability for our Nation's commercial launch providers so that they can remain competitive in the international market.

The bill extends the existing system, which requires commercial launch pro-

viders to purchase insurance up to the maximum probable loss. It then provides that the government will compensate up to \$1.5 billion, plus inflation, and any amount above that is the responsibility of the original commercial launch provider.

Two weeks ago, the Space Subcommittee heard testimony from industry experts about the need to extend the Commercial Space Launch Act's risk-sharing system. Two of the witnesses who testified deal with this law on a regular basis.

Mr. Stuart Witt, president of the Mojave Air and Space Port, is developing new launch systems and technologies that could revolutionize space by making it more accessible. He told the subcommittee that this law allows companies to continue to innovate and grow.

Another witness, Ms. Patricia Cooper, president of the Satellite Industry Association, represents companies that add billions of dollars to the U.S. economy as a result of the current risk-sharing system. Ms. Cooper testified that the system's continuation is "absolutely essential" and that her association "strongly recommends that it be renewed before it expires."

The committee also recently received a letter signed by DigitalGlobe, Boeing, Virgin Galactic, Lockheed Martin, American Pacific Corporation, Aerojet Rocketdyne, ATK, Ball, Honeywell, AMT II, and Orbital Sciences which advocated the renewal of the risk-sharing system in order to keep the U.S. competitive in the global market.

Last year, the Space and Aeronautics Subcommittee held a separate hearing on indemnification and heard from the Federal Aviation Administration, the Government Accountability Office, DigitalGlobe, and the Aerospace Industries Association. At this hearing, Frank Slazer, with the Aerospace Industries Association, summed up his trade association's position by stating:

Many foreign launch providers competing against U.S. companies already benefit from generous indemnification rules . . . We cannot afford to drive away highly skilled technical jobs to foreign countries, where the regulatory frameworks provide better critical risk management tools. Lastly, a non-renewal could impede new U.S. entrants to the commercial launch market, discourage future space launch innovation and entrepreneurial investment. Without a level playing field for competition, new U.S. entrants could find it highly undesirable to begin their business ventures in the United States.

The FAA launch indemnification authority has been in place for over 20 years, and the American commercial space industry has benefited significantly over this time. Thankfully, the provision has never been triggered by a serious accident, but the stability it provides allows the U.S. to remain competitive in the global market and to push the boundaries of space technology.

The bill before us would extend indemnification for 1 more year with the hope that we can address a longer-term legislative solution. I would have pre-

ferred a longer extension. For instance, the NASA Authorization Act that the Science, Space, and Technology Committee passed last summer extended indemnification for 5 years, but we now have a bipartisan bill before us that provides stability to our commercial space industry by protecting companies against third-party liability claims.

This provision expires on December 31, so time is short. This bill buys us time to work on a long-term extension as part of the larger Commercial Space Launch Act renewal that we will take up next year. I urge my colleagues to support this bipartisan legislation.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise today to speak in support of H.R. 3547, a bill to extend the application of certain space launch liability provisions through 2014.

First established by Congress as part of the Commercial Space Launch Act Amendments of 1988, the commercial space transportation risk-sharing liability and insurance regime has been extended seven times since its original enactment. The current extension expires on December 31 of this year, so it is important for Congress to act now so that there is sufficient time for this legislation to make its way to the President's desk before the current authority expires.

The liability and insurance regime that would be extended by this legislation is three-tiered.

In the first tier, licensed commercial launch providers are required to purchase third-party liability insurance to compensate for possible losses from third-party claims by the uninvolved public up to the maximum probable loss level determined by the Federal Aviation Administration as part of its licensing process, or a maximum level of \$500 million.

In the second tier, for claims above those maximum probable losses, the U.S. Government may pay successful liability claims up to \$1.5 billion in 1989 dollars, or about \$2.8 billion in today's dollars, subject to funds being appropriated by Congress for that purpose.

In the third tier, for successful claims above the aforementioned \$2.8 billion, the licensee assumes responsibility for payment.

It should be noted that the U.S. Government has not appropriated a single dollar to pay for the third-party claims in the two-decade history of this program.

The existence of the liability risk-sharing regime has helped enable the development and the sustainment of a commercial space launch industry in the United States, including the emergence of several new companies in recent years. In addition, the regime has

allowed U.S. companies to remain competitive with their international counterparts, almost all of whose governments provide similar or more generous risk-sharing liability regimes to that of the U.S.

The commercial space transportation liability and insurance regime has worked. It has not cost the American taxpayer a single dollar in claims, and it has strengthened U.S. competitiveness in commercial space launch—and this is not a blank check since any potential payments for claims would be subject to prior congressional appropriation.

The bill before us today extends the liability risk-sharing regime for a period of 1 year. While that is less than some in the industry would like, I believe it is an appropriate length. That is because much has changed since the risk-sharing liability and indemnification regime was established in 1988 and because the commercial space launch industry continues to evolve over time.

Commercial providers are delivering spacecraft to orbit and commercial resupply services to the international space station, and companies are working hard toward providing commercial human spaceflight. I am excited about the entrepreneurial spirit many of these new companies exhibit, and I want them to succeed, but I also want to ensure that the Nation's commercial space transportation legislation reflects the changing industry and protects the American public.

The commercial space industry has been evolving in ways that were not envisioned when the risk regime was first established, and we need to evaluate if changes are needed to this decades-old law. The 1-year extension provides the Congress with the time to conduct necessary hearings, perform our due diligence, and enable the enactment of a comprehensive update to existing commercial space legislation.

Mr. Speaker, in closing, I would like to thank the chairman of the Science, Space, and Technology Committee, Mr. LAMAR SMITH; the chairman of the Space Subcommittee, STEVE PALAZZO; and the subcommittee's ranking member, DONNA EDWARDS, for cosponsoring this bill with me. This is a good, bipartisan bill, and I urge Members to support it.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRBACHER), who is the vice chairman of the Science, Space, and Technology Committee.

Mr. ROHRBACHER. Mr. Speaker, I rise in strong support of H.R. 3547, the Space Launch Liability Indemnification Extension Act.

I want to congratulate the chairman and the ranking member for again demonstrating the type of bipartisan support that we have for legitimate science and space projects here in the United States Congress.

People say we can't work together. We can keep our eyes on the stars and

on the positive things, and we are working together. This piece of legislation proves just that. It wasn't so long ago that there were a lot of people who were skeptical about the commercial space industry, and it is heartening to see that we now have gathered together to make sure that our American entrepreneurs—our space entrepreneurs—are successful and that they do, indeed, launch not only rockets into space but launch a whole new industry, providing great jobs for the American people into space and, thus, benefiting all of us. That is why it is a bipartisan effort that we are talking about today.

Space launch liability indemnification is important for the American launch industry, which is, once again, as I said, regaining a global market share to maintain the global market expectations. It is also important to maintain standards that have been long expected of American companies. I fully support a deeper look into this issue, which this legislation provides, because I know that our indemnification structure is not just right for industry—it is right for the American people.

□ 1715

It is important to note that indemnification is not a one-way street with the government just protecting industry. The original policy back in 1988 was designed to protect the government as well as industry. When companies buy the insurance required by law, they protect the Federal Government against damages and against damage claims up to the maximum probable loss.

I would also note that the requirement for commercial launch providers to purchase insurance and protect the Federal Government against its liability never expires. We should permanently extend the space launch liability indemnification. I look forward to working with the chairmen and ranking members to accomplish just that as we go into next year.

I again rise in strong support and thank my colleagues for joining me in this effort to make sure we launch this whole new industry for America.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the ranking member for yielding me time.

I rise today in support of H.R. 3547, the Space Launch Liability Indemnification Extension Act.

As a proud member of the Science, Space, and Technology Committee, I am encouraged to hear about the exciting and innovative ways that the commercial space industry is pushing the bounds of space exploration. The legislation on the floor today helps to ensure that the industry will flourish and continue to create new, high-tech jobs.

In southern California, the Hawthorne-based SpaceX company employs

nearly 4,000 workers and has cemented itself as one of the premier commercial space enterprises by developing several launch vehicles and reusable spacecraft. In 2012, SpaceX successfully delivered cargo to the international space station using its Dragon capsule.

The Mojave Space Port is another bright light in the commercial space industry. At Mojave, more than 70 companies are working on highly advanced aerospace design and flight test research. Just 2 months ago, the Sierra Nevada Corporation completed its first free-flight test of the Dream Chaser, a winged spacecraft that could one day take astronauts to the international space station.

But as commercial space companies such as SpaceX, Sierra Nevada, Virgin Galactic, and others continue to test new technologies, it is important for the Federal Government to help alleviate some of the risk involved in undertaking such projects. By providing third-party indemnification, these companies can continue their work without risking their entire assets. In fact, Russia, China, France, and Japan all offer liability protections that exceed the United States' standard. Without this important protection, some companies could be forced to exit the market, costing the United States hundreds, if not thousands, of high-tech jobs. We cannot allow that to happen.

I am proud to support this legislation so that American commercial space companies can continue to grow and expand the possibilities of what mankind can achieve. I urge my colleagues to support this bill.

Mr. SMITH of Texas. Mr. Speaker, we have no other speakers at this time, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I probably will not use all of the 5 minutes, but I wanted to be here today, Mr. Speaker, to support H.R. 3547, the Space Launch Liability Indemnification Extension Act, of which I am an original cosponsor.

I want to thank both our chairmen—the chairman of our subcommittee, Mr. PALAZZO, and Chairman SMITH—and, of course, our ranking Democrat on the committee, Ms. JOHNSON, because we would not have been able to get to this point if we hadn't been able collectively, across the aisle, to work on a 1-year extension that would be provided for in Commercial Space Launch Act Amendments of 1988 that established the government-private risk-sharing regime for third-party liability. Should a launch accident occur, the effects that involve the public and property on the ground in this indemnification provision would cover such losses.

It turns out that commercial space launch capacity in the industry is really at a critical point in our Nation's development of our space infrastructure. Both the Federal and commercial

customers rely on commercial space launch, the industry for safe, reliable, and effective service, and delivering payloads in orbit and providing related space transportation services.

Just recently, in September of this year, a commercial space launch provider successfully lofted a cargo capsule into space to carry supplies to the international space station. This is exactly what we have in mind when we talk about integrating our commercial launch capacity with what we do already at NASA in terms of our scientific endeavors.

Mr. Speaker, commercial space transportation services have really always been carried out in partnership with the United States Government through the use of Federal launch ranges and services, for example, and through the government risk-sharing regime for protecting the uninvolved public and property should an accident occur. So it seems quite fitting that we have reached this point today.

Unfortunately, the reason that we are only able to do a 1-year extension and can agree on that is because there are also some other things that we need to figure out for the future with respect to the involvement of the commercial industry. It is my hope that over the course of this 1 year we will use that time wisely here in the Congress to have the kind of oversight hearings that we need to bring in the FAA so that we can make sure that we are venturing in this direction in the right kind of way that really takes into consideration what we are doing in the 21st century.

New entrants are delivering spacecraft to orbit, commercial resupply services to the international space station, and companies are working toward providing commercial human spaceflight on both reusable suborbital vehicles and orbital human spaceflight systems.

In fact, although I have been, admittedly, a skeptic, I am excited about the potential of the industry and I want it to succeed. Just last year, in a hearing on launch indemnification before the committee's Space Subcommittee of which I am the ranking member, a senior official representing the Aerospace Industries Association characterized the continuation of U.S. space launch indemnification as providing "substantial upside potential to enable new markets, create jobs, and assure U.S. space technology leadership for the 21st century."

It is easy to see how that upside is both national and local in scope. The launch capability at nearby Wallace air facility on the eastern shore is becoming a critical link to resupplying the international space station.

Commercial space companies make investments in our economy and create jobs all across the country. Specifically, in my home State of Maryland, companies like Lockheed Martin, Orbital, and Northrop Grumman employ thousands of people in my district

alone creating high-tech jobs, high-skilled jobs in the local community. ATK is a leading aerospace provider and has its main headquarters right up in Beltsville, Maryland, not very far from here.

Mr. Speaker, I want to ensure that our legislation and policies regarding commercial space transportation reflect the changing industry, changes and activities that may not have been contemplated when the liability indemnification regime was first established. This 1-year extension provides Congress the opportunity to consider any potential changes that might be needed to ensure the continued safety of the public.

Mr. Speaker, I urge our colleagues to join us today in supporting H.R. 3547.

Mr. SMITH of Texas. Mr. Speaker, I am prepared to yield back the balance of my time if the gentlewoman from Texas (Ms. JOHNSON) is prepared to yield back her time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time.

I urge support of the bill, and I yield back the balance of my time.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 3547, the Space Launch Liability Indemnification Extension Act.

The United States space program has existed for over half a century and my commitment to providing NASA with the resources to carry the agency forward with its ambitious agenda of research, exploration, and discovery is unwavering.

In June 2012, the Federal Aviation Administration (FAA) and NASA signed an agreement to coordinate standards for commercial space travel of government and non-government astronauts to and from low-Earth orbit and the International Space Station (ISS).

The FAA regulates and licenses all U.S. private companies and individuals seeking to engage in commercial space transportation. The FAA's Office of Commercial Space Transportation has licensed 207 successful launches, including two non-orbital commercial human space flights in 2004 and the recent first launch to the ISS and re-entry of a non-manned commercial spacecraft. For details on FAA commercial space transportation responsibilities, visit:

The two agencies agreed to join efforts to expand commercial and non-commercial space exploration by creating a framework for the U.S. space industry. The two agencies will be able to avoid conflict regarding requirements and standards for the purpose of advancing both public and crew safety.

This is an important collaboration that for the private sector is a good sign for companies seeking to reap commercial benefits that may be found in spaceflight investments.

NASA continues to push the boundaries of what is possible, keeping our Nation on the forefront of innovation and exploration. It is the responsibility of this Congress to ensure that the future of NASA is one of continued progress.

Space exploration remains a part of our national destiny. It inspires our children to look to the stars and dream of what they too, one

day, may achieve. Space exploration allows us to push the bounds of our scientific knowledge, as we carry out research projects not possible within the constraints of the planet Earth.

Because of the ground breaking work of NASA commercial applications for space, such as commercial satellites have become critical for mobile communication services.

Smartphones rely upon commercial satellite to function, which makes possible the communication revolution we are witnessing today.

Today, the ground work done to advance knowledge regarding space exploration has reached a point where private sector companies are exploring ways to commercialize space exploration.

For example, Companies like Virgin now operates Virgin Galactic has completed its second test flight for commercialization of space travel and is selling passenger tickets for its first flight. However, we must still fully fund NASA and U.S. public space exploration.

A critical milestone for space exploration will be successful commercial efforts to provide services or develop new methods of manufacturing that are space based or the exploration of neighboring bodies for discovery of rare earth minerals or discovery of more abundant sources of elements or resources that can aid human development.

H.R. 3547, the Space Launch Liability Indemnification Extension Act provides a means of making it possible for private companies to pursue commercial space projects.

I ask my colleagues to support this effort to make the next step in human development of space a successful one by joining me in voting in support of H.R. 3547, the Space Launch Liability Indemnification Extension Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3547.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COMMUNITY FIRE SAFETY ACT OF 2013

Mr. JOHNSON of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3588) to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3588

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 "Community Fire Safety Act of 2013".

SEC. 2. EXEMPTING FIRE HYDRANTS FROM PROHIBITION ON USE OF LEAD.

Section 1417(a)(4)(B) of the Safe Drinking Water Act is amended by inserting "fire hydrants," after "shower valves,".