The bravery and dedication he displayed as a pilot in World War II make him a very deserving recipient of the Congressional Gold Medal, and I am proud and thankful to have such brave veterans like them in my district.

Congratulations, Mr. Bonner.

THE 50TH ANNIVERSARY OF HEAD START

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, family income shouldn't dictate a child's educational outcome; but today, study after study shows that children from lower-income families face unique social, emotional, and financial challenges that lead them to start school already behind their peers.

We began addressing this problem in 1965 when President Lyndon Johnson established the Head Start program. Fifty years later, over 30 million of our most vulnerable children have benefited from Head Start and a more level playing field.

In Illinois today, there are 48 Head Start programs across the State. These programs not only provide opportunities for more than 40,000 Illinois children and their families each year, but they also give tens of thousands of passionate educators the chance to give our most needy children a shot at success.

This week, as we celebrate the 50th anniversary of Head Start, I urge my colleagues to stand with me in support of this vital program. I look forward to ensuring that all children can have an equal opportunity to succeed.

I want to salute our troops, our veterans, and those who gave their lives as we move into Memorial Day.

□ 1015

PROBLEMS AT THE IRS CONTINUE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, while it may feel like a case of deja vu, the sad fact of the matter is, we are once again talking about real problems at the IRS. This time, the Treasury inspector general reports that 1,600 IRS agents in a 10-year period did not pay their taxes.

While it is bad enough to think that those tasked with collecting our taxes can't manage to pay their own, what makes this case worse is that a majority of these employees were given reduced penalties instead of facing the full consequences of their actions. A number of these employees even received promotions and bonuses.

Mr. Speaker, taxpayers deserve better than a government agency that can't seem to follow the rules, and hard-working Americans should be treated with more respect. It is time for more oversight and more transparency at this agency and holding employees accountable who break the rules.

50TH ANNIVERSARY OF HEAD START

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise to commemorate the 50th anniversary of Head Start, which President Johnson announced May 18, 1965. Head Start is our Nation's commitment that every child—regardless of their ZIP Code—has an opportunity to succeed.

Since its creation, Head Start has prepared more than 30 million children for success in the classroom and beyond. My former district director, a brilliant African American man, was a Head Start graduate. His story and millions of others demonstrate just how important early childhood education programs are.

Yet nearly 57,000 children across the country have lost access because of draconian sequester cuts, and the 2016 Republican budget makes it worse by removing another 35,000 children from the program, including 4,500 from my home State of California.

Our children deserve better. How in the world will they compete with children throughout the world if we deny them an early start?

Mr. Speaker, we know high-quality, early childhood education is one of the best investments we can make. So on the 50th anniversary of Head Start, I urge my colleagues to fully support this critical program and leave no child behind.

I, too, want to commemorate and remember my dad, a veteran who served in two wars. And also, I want to commemorate and thank our veterans, our young men and women on duty, and those who have paid a very serious price on behalf of this country.

SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015

GENERAL LEAVE

Mr. MCCARTHY. 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 the bill, H.R. 2262.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 273 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2262.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1018

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCCARTHY) and the gentlewoman from Maryland (Ms. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCARTHY. I yield myself such time as I may consume.

Mr. Chairman, when I was a child, I learned that there was more to our universe than just my home and my town. There were people in great cities. There were buildings that stretched to the clouds. There were machines that could explore the character of atoms and telescopes that saw into distant galaxies. There is so much in the world.

And in recent decades, we have grown accustomed to seeing it all. Entire continents and countries are a plane ride away. The Internet is a window to the world from the comfort of our homes. In this time of innovation, what was once unimaginable is now common, and what was once distant now feels so close.

But we all know there is still so much left to learn. In my heart, I believe man's journey of exploration and discovery has barely begun.

For generations, dating back to the dawn of humankind, every man, woman, and child has looked up to the stars in wonder. We imagined that the dots of light could reveal a glimpse of the future. And we thought that each night, we saw the whole heavens stretching above us.

But as technology has given us new eyes to see the universe, we discovered that even on the clearest of nights, we can only see a fraction of the stars in one small section of our galaxy.

I still look up at the stars with wonder. And I know that we are only at the start of our mission into this great frontier.

You see, I spent time in school, just like every kid in America, learning about our first voyages into space and the Moon landing. I remember how much pride I felt, knowing that America did it first and that our flag still flies up there today.

But that is not where we were meant to stop.

America has always led because it is in our nature to lead. We crossed over the mountains of Appalachia and into the Great Plains. We climbed the Rockies to the golden coast of California and beyond, creating a Nation in

this land that has far surpassed all others in truth, hope, and liberty.

We are a beacon of freedom and human dignity to every person that longs for the right to choose their own future, and we are a force for good unlike anything this world has ever known.

And yet in space, we are losing our ability to lead. We once stood up to the challenge of the Soviet's Sputnik and made it to the Moon. But today our astronauts use Russian rockets, and other nations are working to put people on Mars and beyond.

But we must go beyond. We must face the great unknown with that American spirit of adventure and hope.

To paraphrase President Kennedy, we must lead mankind into space—not because it is easy, but because it is hard and because that goal brings out the very best of our Nation.

There are people—scientists, engineers, astronauts, and entrepreneurs—out in the deserts of California who have a goal, the same goal so many Americans have had before them. It was our forefathers' goal at the founding of this Nation conceived in liberty. It was our goal when two young bicycle repairmen rose above the sand and waves of a North Carolina beach to fly. It was our goal when Chuck Yeager raced through the skies over California and broke the sound barrier.

That goal is to make our dreams a reality.

Today these 21st century explorers in California and across the Nation want to bring man above the clouds, above the Earth, and above the Moon, itself. And we should let them.

Government has great power; that is true. But in America, we believe that power is limited. It cannot, should not, and will not be used to diminish our dreams.

I stand here before you today, Mr. Chairman, presenting a bill. This bill asks us to make a decision: Do we concede our future to one of managed decline where others lead? Or do we make a future where America and her people guide us in our journey to the stars?

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 2262, the SPACE Act of 2015. And I am actually quite saddened by that. It is not the outcome I had hoped for. Like the gentleman from California, I share in the enthusiasm and the wonder of space.

I would note that the Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee has just cut $230 million from the President's request for these activities.

It was my sincere belief that the Science, Space, and Technology Committee could have reached bipartisan agreement on a commercial space bill. Indeed, during the past few weeks, there was a concerted attempt on both sides of the committee to reach common ground on tackling these issues and developing a bipartisan bill.

However, with the backdrop of meeting the majority's floor schedule as the top priority, there was insufficient time given to negotiate a compromise before last week's full committee markup.

Mr. Chairman, I think most of us on both sides of the aisle share in the excitement and enthusiasm about the commercial space industry, and we want it to succeed. Indeed, hundreds of millions of dollars have been paid by taxpayers into this industry to get it off the ground. American taxpayers have a lot of skin in the game when it comes to the success of commercial space.

Since the very beginning, the Federal Government has supported the private space industry, at both the State and Federal level, with funding, data, and guidance with best practices.

Since the Commercial Space Launch Act was passed in 1984, followed by the Commercial Space Launch Act Amendments of 1988 and 2004, it is clear that the commercial space industry has made significant strides.

Even in 2004, few would have predicted that NASA would be relying today on commercial space transportation to deliver critical supplies, spare parts, and research material to the International Space Station.

Who knows what developments will occur in the commercial space arena in the coming years. What we do know is that it won't just be commercial cargo transported into space; in fact, it will also be people. That is why it is up to Congress to develop responsible commercial space policies that both encourage the commercial space industry and protect those who participate as the users of the industry's services and activities.

Sadly, this bill just doesn't measure up to that responsibility. Instead, it takes a fundamentally unbalanced approach to the issues facing the commercial space launch industry.

Two key areas should concern all Members, Republicans and Democrats alike.

The first area pertains to safety. A moratorium on the FAA's authority to regulate the safety of crew and spaceflight participants was initially included in the Commercial Space Launch Act Amendments of 2004 in order to allow the commercial space industry the time to acquire experience and data that would inform the development of safety regulations.

However, initial expectations of industry progress simply were not realized. So in 2012, Congress extended the moratorium for 3 more years as part of the FAA Modernization and Reform Act of 2012. The end of that learning period is set to expire on September 30, 2015.

H.R. 2262, the bill in front of us, would extend the learning period to December 31, 2025, a decade-long moratorium on FAA's ability to even start proposing a safety framework.

This is very dangerous. This unprecedented regulation-free period for a decade for the commercial and human spaceflight industry puts no pressure on the industry to establish industry consensus standards, standards that could potentially be used as self-regulation measures for the industry.

In addition to providing the industry with 10 years of no safety regulations, H.R. 2262 negatively affects the rights of individuals on important safety matters by requiring spaceflight passengers to waive liability against launch providers and other parties.

What that means is that spaceflight participants have to waive their rights to sue the launch provider and related parties for claims, even if there is negligence involved.

Mr. Chair, H.R. 2262 puts policy in place that favors industry over policy that ensures balanced consideration for those people the industry will serve. That is a position that I and all of my Democratic colleagues on the committee oppose.

Another area of concern pertains to space resource utilization, such as asteroid mining.

Mr. Chair, there is merit to positioning ourselves to answer questions associated with space mining, the property rights that accrue from such activities, and the harmonization with our treaty obligations.

However, establishing prescriptive policies, as H.R. 2262 would do, is simply premature.

To preclude the proverbial placement of the cart before the horse, it would be prudent to establish an interagency review to help identify appropriate roles and responsibilities and a proposed organizational structure for the Federal Government's oversight and licensing of commercial space resource exploration and utilization.

And it would also be prudent, Mr. Chair, to hold hearings on these issues and on this legislation, as well as to have a subcommittee markup, what we sometimes refer to as regular order. H.R. 2262 skips these steps.

Proponents of the space resources utilization provisions in H.R. 2262 argue that the range of issues has been adequately vetted and reviewed by the executive branch.

□ 1030

Mr. Chairman, it is my understanding that while several individuals in the executive branch have offered technical drafting comments in response to queries about the bill, no Federal agency has taken a position on the bill.

Indeed, the administration says: "While the administration strongly supports the bill's efforts to facilitate innovative new space activities by U.S. companies, such as the commercial exploration and utilization of space resources to meet national needs, the administration is concerned about the ability of U.S. companies to move forward with these initiatives absent additional authority to ensure continuing supervision of these initiatives by the

U.S. Government as required by the Outer Space Treaty.''

In addition to these concerns, we have received a number of letters from legal scholars, consumer interest groups, and attorneys who have raised concerns or are opposed to H.R. 2262 as written. I am submitting for the RECORD letters from Professor Joanne Gabrynowicz, Director of the National Center for Remote Sensing, Air and Space Law; the American Association for Justice; the Center for Justice & Democracy; Consumer Watchdog; the National Consumers League; the Network for Environmental and Economic Responsibility of United Church of Christ; Protect All Children's Environment; and Public Citizen.

520 DEER CREEK DRIVE,
Oxford, MS, May 12, 2015.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE JOHNSON: At the request of Congressional Staff I am submitting this letter as a citizen expert for your consideration. I was requested to review H.R. 1508 and provide a comment. I am currently Professor Emerita at the University of Mississippi School of Law where I taught United States National Space Law, International Space Law, and Remote Sensing Law from 2001 to 2013. Prior to that I taught similar courses in the Space Studies Department at the University of North Dakota Odegard School of Aerospace Sciences from 1987 to 2001. I was the Editor-in-Chief of the Journal of Space Law from 2001–2013. My complete curriculum vitae is attached for your reference.

1. Outer Space Treaty Art. II prohibition of national appropriation by ''any other means''.

This comment addresses the most important issue raised by the Bill on its face. The Bill provides, ''[a]ny asteroid resources obtained in outer space are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law.'' The Bill defines a ''space resource'' as a ''natural resource of any kind found in situ in outer space.'' It further defines an ''asteroid resource'' as ''found on or within an asteroid.'' The bill is addressing unextracted resources.

The United States is a State-Party to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. It prohibits ''national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.'' The Bill attempts to grant U.S. jurisdiction over ''any asteroid resource'' in situ in order to authorize and require the ''President . . . to facilitate the commercial exploration and utilization of space resources to meet national needs''. Making unextracted, in situ ''asteroid resources'' subject to U.S. Federal law and requiring the President ''to meet national needs'' is a form of national appropriation by ''other means''.

2. The Bill does not provide for any specific licensing regime.

Unlicensed U.S. commercial space activities are unprecedented in United States space law. All commercial space activities to date require appropriate licensing by an authorized agency. Specific statutes delegate licensing authority to specific agencies. For example, the Commercial Space Launch Act authorizes the FAA to license commercial launch activities. The 1992 Land Remote Sensing Policy Act authorizes the Department of Commerce to license commercial remote sensing systems. Licensing is how the U.S. meets its obligations to authorize and continually supervise the space activities of non-government entities under the Outer Space Treaty.

In particular, it is important to note that the license requirement imposed on the licensee that it maintain 'operational control,' as the term is defined in Section 960.3, is an implementation of U.S. obligations under the United Nations Outer Space Treaty of 1967. That treaty provides that the U.S. Government, as a State party, will be held strictly liable for any U.S. private or governmental entity's actions in outer-space. Consequently, NOAA requires that licensees under this part to maintain ultimate control of their systems, in order to minimize the risk of such liability and assure that the national security concerns, foreign policy and international obligations of the United States are protected.

The lack of a specific licensing regime also fails to meet the State Department's concern raised in a letter to Bigelow Aerospace from the FAA: the lack of a national regulatory framework with respect to private sector activities on celestial bodies.

3. The Bill only provides for a report.

The Bill requires the President to submit a report to recommend which Federal agencies will be necessary to meet U.S. international obligations. This may be sufficient. It is worth noting that reports are not the equivalent of licensing regulations that go through the Administrative Procedure Act process. However, this is a Federalism question, not a space law question so I will only point out the issue and note it is worth questioning and seeking the view of a relevant expert.

Sincerely,

JOANNE IRENE GABRYNOWICZ,
Prof. Emerita.

AMERICAN ASSOCIATION FOR JUSTICE,
May 20, 2015.

Re Support the Edwards Amendment to the SPACE Act of 2015 (H.R. 2262)

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The American Association for Justice (AAJ) supports the Edwards substitute amendment which substitutes the text of S. 1297, a bipartisan Senate companion for the SPACE Act of 2015 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act of 2015. The American Association for Justice (AAJ), formerly the Association of Trial Lawyers of America (ATLA) with members in United States, Canada and abroad, is the world's largest trial bar. It was established in 1946 to safeguard victims' rights, strengthen the civil justice system, promote injury prevention and foster public health and safety. AAJ is an advocate for a strong civil justice system in order to protect the health and wellbeing of all Americans.

Commercial space travel is an emerging industry that will allow for members of the general public to visit space for recreational or business purposes and AAJ recognizes the challenges of trying to give a new industry the flexibility to grow and innovate. However, Section 8 of the SPACE Act of 2015 requires passengers on commercial spacecraft to waive any right to damages for personal injury, property damage or death resulting from commercial space travel. While it may be acceptable for businesses with equal footing and negotiating power to execute cross waivers limiting their responsibility to each other, this waiver language should not extend to passengers. This provision is unfair and harmful to individuals. As a result, AAJ is supporting the Edwards substitute amendment, which does not contain the harmful cross waiver provision.

The SPACE Act of 2015 as introduced contains a provision which would provide the commercial space industry total immunity. This provision will be eliminated by the Manager's Amendment to the bill. We applaud Chairman Smith for protecting the American public. As the commercial space travel industry grows, safety should be put first and foremost. Industry interests should not be valued over that of the passengers.

Sincerely,

LINDA LIPSEN,
C.E.O.

MAY 20, 2015.

Re Opposition to H.R. 2262 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The undersigned organizations are writing to express opposition to HR. 2262, the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act. While some of our organizations may have concerns about various parts of this legislation, this letter addresses two sections in particular: Sections 7 and 8.

The sweeping immunity proposed by these provisions is alarming. The commercial space industry's safety record has been shoddy with normal rules in place. The last thing Congress should be doing is passing legislation that removes this industry's financial incentive to conduct safe commercial space operations. And it is particularly troubling that this legislation was passed out of the House Committee on Science, Space, and Technology without a single hearing held.

Section 7 of the bill states: ''Any action or tort arising from a licensed launch or reentry shall be the sole jurisdiction of the Federal courts and shall be decided under federal law.'' Given that no federal tort law exists in such cases, this provision will immunize the private space industry for any harm it causes. It wipes out any tort remedy for death, injuries or property damage suffered as a result of a negligent or reckless launch or reentry. And space passengers are not the only individuals covered by this language. Anyone, from innocent bystanders watching a rocket launch, to people who happen to be at the wrong place at the wrong time, suffering any harm, whether that be losing a house, limb, or life, will be left without recourse. Imagine the vast radioactive carnage that could result from an exploding nuclear rocket, which the industry is discussing for future rocket propulsion.

Section 8 of the SPACE Act requires both companies and passengers on commercial space flights to cross-waive liability claims. It is one thing for companies with equal bargaining power to establish liability agreements between them. However, it is unfair to force passengers into such agreements. This provision does not protect passengers—it strips away their rights.

Supporters of the bill say immunity is needed to spur innovation and save jobs. This is nonsense. If the civil justice system

were harming the industry in some way, this would already be evident. But according to the most recent Space Foundation report, ''The global space economy grew to $314.17 billion in commercial revenue and government budgets in 2013, reflecting growth of 4 percent from the 2012 total of $302.22 billion. Commercial activity—space products and services and commercial infrastructure—drove much of this increase. From 2008 through 2013, the total has grown by 27 percent.''

This industry should be subject to the same civil justice system that applies to every other dangerous industry in America. If a private space company is grossly negligent and harms people, it should be accountable for the harm it causes. For these reasons, we strongly oppose H.R. 2262 the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or SPACE Act.

Very sincerely,

Alliance for Justice; Center for Justice & Democracy; Consumer Watchdog; National Consumers League; Network for Environmental & Economic Responsibility of United Church of Christ; Protect All Children's Environment; Public Citizen.

Ms. EDWARDS. In closing, Mr. Chairman, H.R. 2262 is an unbalanced bill that simply doesn't adequately protect the public's interest, whether in matters pertaining to the safety of the general public or in matters pertaining to the safety of the future consumers and customers of the industry, and incorporates prescriptive provisions on space resource utilization that are indeed premature.

Mr. Chairman, I urge my fellow Members to oppose H.R. 2262, and I reserve the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill that comes before us today took some time in drafting. In over four hearings in a bipartisan manner, this committee reached out to the minority in October of last year and gave them a draft of the bill. Unfortunately, Mr. Chairman, the minority party did not come back for 5 months. But we want to make clear that everybody understood the bill.

We also want to make clear that people didn't make misstatements because, in this bill, the section provides FAA's ability to regulate commercial human spaceflight in order to protect the uninvolved public, national security, public health and safety, safety of property, and foreign policy. It also preserves FAA's ability to regulate spaceflight participant and crew safety as a result of an accident or unplanned event.

Mr. Chairman, I yield 4 minutes to the gentleman from Texas, Chairman SMITH, the man who has led this committee in a bipartisan manner.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from California for yielding, and our thanks go to Majority Leader KEVIN MCCARTHY for introducing such an important piece of legislation. In fact, we have made him an honorary member of the Science, Space, and Technology Committee.

Mr. Chairman, space commercialization, this bill, is the future of space. This bill will encourage the private sector to build rockets, to take risks, and to shoot for the heavens. H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015, or SPACE Act, facilitates a progrowth environment for the developing commercial space sector. It creates more stable regulatory conditions and improves safety, which, in turn, attracts private investment.

Members of Congress should know that earlier this week the administration officially stated—and this is the most important thing in my view that the administration said, and it was, unfortunately, omitted from the statement awhile ago that the ranking member quoted. Here is what the administration said:

It does not oppose House passage of this bill.

The SPACE Act secures American leadership in space and fosters the development of advanced space technologies. The SPACE Act preserves the Federal Aviation Administration's ability to regulate commercial human spaceflight in order to protect national security and public health and safety. The act preserves FAA's ability to regulate spaceflight participation and crew safety in the event of an accident.

The bill calls for a progress report on the knowledge the industry and FAA have gained about the operation and licensing of commercial human spaceflight. This allows the commercial space industry to develop standards and coordinate with the FAA so the industry can grow in a stable regulatory environment without the threat of arbitrary regulations that would adversely impact their ability to innovate.

Mr. Chairman, international law places liability for damages that result from space accidents on the launching nation. All spacefaring nations require some form of third-party liability insurance for launching entities.

The current U.S. risk-sharing structure expires in 2016. This act extends indemnification to the year 2025 and requires an update on how the FAA calculates the maximum probable loss associated with launches. Indemnification has never been utilized and is subject to future appropriations. This provision will prevent U.S. space companies from going overseas where other nations have more favorable liability protection.

The SPACE Act also closes a statutory loophole that negates an experimental permit once a launch license is issued for the same vehicle design. This fosters greater innovation and allows an experimental permit holder to continue testing while a license holder conducts operations. Current law only allows for two categories of individuals carried within a spacecraft: crew and spaceflight participants. Now that NASA is allowing other astronauts access to the International Space Station, a new category is necessary to outline the roles, responsibilities, and protections for astronauts on a commercial human spaceflight launch.

This bill also closes a loophole that carved out an exception for spaceflight participants from indemnification coverage. By including these individuals in the indemnification provision, spaceflight participants who may participate in a launch as a result of a contest or for other reasons are not burdened with financial exposure above the limits. This bill also ensures that Federal courts review lawsuits that result from accidents since the Federal Government is ultimately the responsible party, not the States.

Current law requires that all parties involved in a launch waive claims against each other. This bill adds spaceflight participants to the cross-waiver requirement to ensure consistency and reinforce the informed consent requirements.

The CHAIR. The time of the gentleman has expired.

Mr. MCCARTHY. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. SMITH of Texas. All space community stakeholders have expressed support for this bill. They include Blue Origin, Virgin Galactic, Mojave Air and Space Port, SpaceX, the National Space Society, and the Commercial Spaceflight Federation, which represents more than 50 commercial space companies across the United States. The bill also includes many bipartisan provisions recently considered by the Science, Space, and Technology Committee.

The bill is the product of over 3 years of work, numerous committee hearings, and input from industry, education groups, and grassroots citizen advocacy groups. Virtually every stakeholder group, again, has supported this bill.

H.R. 2262 will keep America at the forefront of aerospace technology, promote American jobs, reduce red tape, promote safety, and inspire the next generation of explorers. I urge my colleagues to support this bill, and once again thank the majority leader for introducing it.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would note, before yielding to the ranking member, that it should be no surprise that the entire commercial space industry is supporting the majority bill because it is incredibly generous to the industry without due consideration to the safety of the public and to spaceflight passengers who also might travel on their vehicle. So it is not a surprise.

I think all of us here want to see the support of the commercial space industry. We want a regulatory environment that respects their innovation but also protects United States taxpayers' interest. As I have said, taxpayers have, to the tune of hundreds of millions of

dollars, our skin in the game. It is up to us to act responsibly.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in opposition to H.R. 2262, the SPACE Act of 2015.

This bill amends the Commercial Space Launch Act, which is one of the seminal achievements on this committee. That act opened the doors to establishment on the commercial space industry, which is poised to become a major part of the 21st century economy.

I agree that both our committee and the Congress as a whole need to address the Commercial Space Launch Act. We haven't comprehensively addressed these issues since 2004. I also want to be clear that I am a strong supporter of the commercial space industry. I think Members on both sides of the aisle want this industry to succeed because this industry's success is good for our Nation. However, the issues being dealt with in this bill are not straightforward. They are complex and require thoughtful consideration.

Unfortunately, the Committee on Science, Space, and Technology hasn't given these issues thoughtful consideration. We have not held any hearings so far this Congress to examine the issues being debated today. We also haven't had a subcommittee markup to try to work through some of the underlying issues in the legislation. That is really very unfortunate, because we could be considering a bipartisan piece of legislation today if the majority had simply laid the proper groundwork for moving complex legislation. Instead, we have rushed this bill to the floor to meet some arbitrary timetable established by somebody, perhaps the Republican leadership.

So what does this bill do? In every possible measure, H.R. 2262 gives maximum preference to the priorities of the commercial space launch industry—at the expense of the safety of the general public and the safety of the future customers of this very industry, and it does so at the expense of the American taxpayers.

Mr. Chairman, this bill proposes to provide the commercial space launch industry with another decade—decade—of regulation-free operations with respect to protecting the safety of spaceflight passengers. There won't be any passengers when they find out that they have no protection.

Some will state that the industry does not yet have enough experience to establish these regulations. That is rubbish. Both the United States and Russia have been launching humans into space for more than five decades. There has been literally hundreds of space launches on numerous different types of spacecraft during this time. The FAA has had more than enough data to rely on to set commonsense regulations on spaceflight passenger safety.

In addition, this bill also provides a lengthy 9-year extension of commercial space launch indemnification provisions. Congress has extended these provisions many times since they were originally crafted in 1988. Since 1988, the liability exposure of the U.S. Government under this regime has grown each and every year. What began as an approximately $1 billion backstop for the industry has now grown to more than $2.5 billion, and this will continue to grow for 9 more years under this bill. I think this is something that deserves a little more attention. Generally, as an industry matures, you would think their reliance on the U.S. Government for subsidies would decrease rather than increase.

Finally, Mr. Chairman, this bill takes steps into the uncharted waters involving space property rights. I am not against asteroid mining or space resource utilization. Those activities will come in time. However, I am for getting any legislation that addresses these areas right.

We are not at all close to resolving the many unanswered questions and issues concerning space resource utilization and property rights. At the single hearing the majority held on this topic last Congress, several of the invited witnesses expressed their views that there were many unsettled issues with the majority's draft legislation. Moving this legislation without really ever addressing these issues is, I believe, negligent on the part of the Congress.

Some on the other side of the aisle may point to the fact that the administration's Statement of Administration Policy did not include a veto threat against this bill. But I would note that the administration's statement also had serious concerns about sections of the bill and notably did not endorse the bill.

With respect to the asteroid mining provisions, the statement noted: ''the administration is concerned about the ability of U.S. companies to move forward with these initiatives absent additional authority to ensure continuing supervision of these initiatives by the U.S. Government as required by the Outer Space Treaty.''

Mr. Chairman, Ms. EDWARDS will be offering an amendment in the nature of a substitute that I will speak on one more time later. It may not have everything that industry desires, it may not reflect all of our priorities for commercial space launch policy, but it is a clear route to getting a balanced, bipartisan, bicameral commercial space launch bill enacted into law, because ultimately that is what we are trying to do is get a bicameral agreement.

□ 1045

We can argue over differences, or we can just join together to pass bipartisan, bicameral commercial space legislation.

I urge my colleagues to oppose H.R. 2262 in its present form and instead take a bipartisan approach to enacting commercial space launch legislation.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Before I yield, I do want it noted, 1969, what all America felt when they watched America make a step on the Moon, on an American rocket and American ingenuity. Unfortunately, today, we pay Russia for an astronaut from America to ride on their rockets. Some may be content with that, but, Mr. Chairman, I am not. That is why this bill today allows us to have some change and growth to make that happen.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Chairman, I want to take a moment to thank the sponsor of this bill, Majority Leader MCCARTHY, for his great work. This is very important.

I also want to thank our great chairman, LAMAR SMITH, who has had an unprecedented week in the House of Representatives of passing bills of innovation, advancing science. Congratulations to him as well.

The space industry represents hundreds of billions of dollars in economic investment and thousands of jobs across the United States, but it is not just large companies.

Cain Tubular—a small, multigenerational, family-owned business in my district—is doing the innovative work necessary for safe, weld-free condensing coils for the next generation of rocket engines.

Scot Forge is another business in my district, working under an amazing employee ownership model, that is forging the heavy metal parts and casings for multiple launch systems throughout the supply chain.

The space industry is an engine of economic growth throughout the country, and our opportunity to do this right is vitally necessary to maintain American competitiveness as other nations begin to catch up.

That is why I rise today to urge my colleagues to support H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015. The SPACE Act facilitates a progrowth environment for the commercial space sector. It fosters a safety framework that will protect the American public, while encouraging the development of new space technologies. This will ensure America's exceptional role is maintained as the most innovative Nation in the world.

This legislation also extends the current risk-sharing structure set to expire next year and requires an update on how the FAA calculates maximum probable loss associated with potential spaceflight accidents. This ensures that U.S. space companies won't be forced to go overseas to compete.

The SPACE Act also establishes a legal framework for government property rights of resources obtained from

asteroids, giving U.S. companies the legal assurance they need to invest in and develop in situ space resource exploration and utilization technologies. The successful exploration and use of in situ asteroid resources is an important step in humanity's development and is in the national interest of the United States.

The SPACE Act helps develop the commercial space industry, ensures commercial space lawsuits are treated fairly, and allows the commercial space industry to grow like never before.

For these reasons, I strongly recommend my colleagues support commercial space with a vote for the SPACE Act of 2015.

Ms. EDWARDS. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The gentlewoman from Maryland has 14 minutes remaining. The gentleman from California has 17 minutes remaining.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to, for the RECORD, because I think it is important for the American people that we don't mix apples and oranges, the Bush administration actually canceled the program that would have enabled us to make sure that we have American rocket vehicles going to the space station.

In the interim period, those requests have been severely underfunded, so I think it is important for us to put into perspective what is happening in the space industry.

Now, I—as somebody who long ago worked in the industry, worked at NASA—understand the importance of investing in science and research and funding the activities of NASA and supporting the industry. I also understand that we have put—this Congress, in fact—has placed burdens both on the industry and on the agency to perform without putting the money to do that.

I would note that this SPACE Act doesn't have any money that goes with it. In fact, on the appropriations side, as I stated earlier, $230 million has actually been cut from the President's request.

I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my colleague and the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I simply wanted to respond to the statement that we have to rely on Russia.

We are relying on Russia because we won't pay for it in this country, but we are willing to allow a private commercial spaceship to fly at the expense of the government and at the risk of every person who would hire a trip. We are paying them to take supplies to a space station because we refuse to fund space station flight for human flight from this country.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

Today, we pay Russia $70 million for one astronaut to go to the International Space Station. As commercial space begins to grow, we watched others get into the market—SpaceX—so they could do it for much less. That is what this bill talks about, allowing the commercial space others to join in.

I don't think all the answers come from Washington. I think government should be limited, but we should not limit our ability to grow. Why should we complain if we can use private sector money to even increase our capabilities to go higher into space?

Mr. Chairman, the next person I am going to yield to knows a great deal about this. He represents aerospace corridor. He comes from a family that is renowned in the development of space in America.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT), the son of Mr. Pete Knight, who still holds the record for the fastest man on Earth in an X–15.

Mr. KNIGHT. Mr. Chairman, I want to thank the majority leader for bringing this forward. This is a vital piece of legislation.

The majority leader brings up a subject that is always very important to me. It happened on December 17, 1903. It happened in a little bicycle shop in Dayton, Ohio. Two innovators took their invention across part of the country out to a little place in North Carolina in Kitty Hawk, and they flew a man-powered controllable aircraft for the first time.

Now, why is that important? It is because the government had thrown a $50,000 grant to get this done, and they couldn't get it done, but two innovators could get it done by nothing other than the brains that they had, the energy, and their two hands.

America needs to ensure that it will continue to be the leader in the space industry. Business and innovation want stability, and this bill does just that, by extending the FAA learning period and duration of indemnification to 10 years.

When I speak to fifth graders—and I think we all do at least a couple times a year; I try to speak to at least 50 schools a year—but when I talk to the fifth graders, I ask them how long it takes to fly from LA to Tokyo. There is always a 2-hour or a 20-hour or anything like that.

I tell them it takes about 10½ hours. I said: But in your lifetime, it is going to take about an hour and a half.

They said: Well, that is great. That is great. I would love to be in an airplane for just an hour and a half or a spacecraft when, today, we have to do 10½ hours.

Well, do you know what, that will happen if we let it happen. Right now, it is happening. Innovation is flourishing. These things are happening. We are doing jousting programs that is dispersing the supersonic wave which means, at some point, we will be able to fly over the continent at more than Mach 1.

That means we will be able to fly home to California in an hour and a half. Now, I know all of us Californians would love to do that instead of the 5½ hours it takes today, just like it took in 1970.

This bill allows the FAA to gather sufficient data to ensure the regulations will help foster growth in the industry. I support this bill.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

We have been listening to this discussion, and I think, when the other side reclaims their time, it would be really helpful to explain why it is that, if this is so important and that it is so urgent, why it is that the majority has cut $230 million from commercial crew. I will wait to hear the answer, as I am sure the American people are waiting.

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentlewoman.

I thank the managers of this bill, including the majority leader.

I just want to say that I come from Space City. Houston, Texas, has as its motto—its defining moment besides railroads—is Space City. I served 12 years on the Science, Space, and Technology Committee, and I had a strong commitment and continue to have a strong commitment to human space exploration—in particular, the research that is garnered out of that mighty effort.

I have traveled to most of the NASA centers across the Nation, and I have seen outstanding researchers. There is no reason for any of us, Democrats or Republicans, to oppose the idea of space exploration and, in this instance, commercial space exploration.

What I will say to you, Mr. Chairman, and to my good friend, the majority leader, let us walk step-by-step together.

Certainly, I am concerned as someone who offered and wrote legislation to promote more safety on the International Space Station—proudly so—legislation that was ultimately passed and I believe has made the space station more enduring, to be able to suggest that this bill limits to a certain extent the safety requirements that I believe would make this industry a better industry, to say also that we are highlighting or offering the commercial space industry over the investment in NASA, which I have great concern, as we look forward to the implementation of the Orion and the opportunities for further space exploration.

I would want to make sure that this legislation does not undermine our work with NASA and, frankly, that the safety elements that are so important, not only to the civilian population—because I have commercial space entities in Texas just a few hundred miles away from Houston, Texas, but I also have the NASA Johnson Space Center—and I would want to know whether or not there is a conflict between the safety

requirements that we have to implement and the safety requirements and security requirements in commercial space exploration.

The CHAIR. The time of the gentlewoman has expired.

Ms. EDWARDS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. The other thing that I would offer to suggest, as this bill moves to the Senate, is the investments that are made, the profits that may ultimately be made by commercial space exploration, it would be appropriate to use those moneys to invest in R&D and the Federal Government for it to continue its very important, unrestrained research that has been so mighty to helping so many different people under NASA.

I want to thank the gentlewoman for yielding, but I would ask the question: Can we not provide a safety matrix for commercial space exploration as we have done in the public sector?

Mr. MCCARTHY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, several weeks ago, we passed a NASA authorization bill that returns NASA to its core mission, human space flight.

The bill before us, H.R. 2262, builds on that good work. We have many American businesses employing thousands of American workers right now. These businesses are pursuing their own space missions, both orbital and suborbital.

Some of these entrepreneurs have plans to reach below low Earth orbit, such as taking the first steps toward missions to mine asteroids for precious metals. This landmark legislation will do more to secure America as the home of commercial space exploration than any other legislation that Congress has considered. These endeavors are a great complement to Federal investments in civil and military space initiatives.

Let's face it, in any field, no American entrepreneur is going to invest billions of dollars of their own money where there is regulatory uncertainty. The SPACE Act of 2015 creates a regulatory framework and provides certainty for these privately financed endeavors to take the next steps.

□ 1100

This legislation will bolster thousands of high-tech American jobs, building a stronger economy, advancing technological leadership, and strengthening our Nation's industrial base.

I want to recognize the hard work of our colleagues—Majority Leader KEVIN MCCARTHY, BILL POSEY, DANA ROHRABACHER, and JIM BRIDENSTINE. These folks have worked hard for several years on key commercial space provisions that have been incorporated into this bill. Their efforts will create an environment for these private sector companies to flourish.

I would also like to thank our chairman, LAMAR SMITH, and Space Subcommittee chair STEVEN PALAZZO for their leadership in moving this legislation through the committee and in bringing it to the House floor.

America has always prospered because we have not stood in the way of visionaries. Rather, we have found a way to enable them to take a chance and succeed on their own.

The CHAIR. The time of the gentleman has expired.

Mr. MCCARTHY. I yield the gentleman an additional 30 seconds.

Mr. BABIN. A vote for this bill is a vote to ignite the flame of commercial space and propel the American entrepreneurial spirit beyond our world and into the final frontier of space. Passing this bill tells the world that America is the home for commercial space.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to be really, really clear with the American people because I think sometimes we talk about the commercial space industry as though it exists on its own. In fact, it exists because the Federal Government and Federal taxpayers have been incredibly generous for this innovative, creative, and growing industry. It is because, as taxpayers, Mr. Chairman, we support the industry.

$3 billion alone in inflation-adjusted dollars goes as a backstop for indemnification, which is in case there is an accident or whatever—a $3 billion backstop by the Federal taxpayer. Billions of dollars have gone into the development as the industry has grown. Indeed, some projections say that 9 of every 10 dollars that have gone into the development have actually come from the American taxpayer. Hundreds of millions of dollars support the infrastructure, the launch facilities that are maintained for the industry and—who knows?—countless dollars from State tax credits on down the line.

It would be really inaccurate to say that any of us—Republicans or Democrats or any American taxpayer—does not support the commercial space industry. We want it to be safe. We want to make sure that liability is taken care of. We want to make sure that, in fact, the skin in the game of the taxpayers is met with responsible public policy. To correct the record, it is $243 million that the Republican majority has actually cut from Commercial Crew.

Again, I would say, if you support the industry, then please explain why it is that you have also supported a cut to the very thing that would continue to grow the industry.

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

Mr. MCCARTHY. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIR (Mr. STEWART). The gentleman from California has 11½ minutes remaining. The gentlewoman from Maryland has 7 minutes remaining.

Mr. MCCARTHY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, let me note that the commercial space industry has not cost us taxpayers' money. The commercial space industry has generated billions and billions of dollars worth of income to honest citizens who then pay their taxes—who wouldn't have jobs otherwise—not to mention, of course, the billions of dollars the commercial space industry has saved us simply by doing a more efficient job at launching satellites and at supplying the space station than could be done by the public sector—by NASA and other government employees.

H.R. 2262, the SPACE Act of 2015, builds on the House Science, Space, and Technology's bipartisan tradition of promoting economic growth in America. Today, we are talking about that economic growth in terms of an emerging, new, entrepreneurial industry that is tremendously beneficial to the bottom line of America—the billions of dollars that it is creating with a new, innovative approach to an industry that goes into space in order to accomplish its missions. The SPACE Act of 2015 specifically continues the streamlined regulatory regime that Congress put in place for commercial human spaceflight just a decade ago in the Commercial Space Launch Amendments Act of 2004.

I am proud to have been the one to have authored that legislation, legislation which passed in Congress with bipartisan support. I would hope that bipartisan support continues because, in 2004, it was Bart Gordon of Tennessee and Nick Lampson of Texas—both Democrats—who made it possible for us to get this legislation passed as well as Silvestre Reyes from Texas. Of course, there are a lot of Texans here today involved in this debate because there are a lot of people in Texas who are hired and who have great jobs because of what we did then.

When we talk about and when we hear that we have cut $243 million, no, no. We were willing to keep that in the budget. Republicans would have been willing if we had found other areas that had been less important. But the reason these things happen is that our colleagues on the other side of the aisle cannot seem to prioritize. We prioritize this.

Mr. Chairman, we prioritize launching new industries, creating new jobs, saving billions of dollars in money that would be spent otherwise, because the commercial space industry, like SpaceX and other champions of space entrepreneurship, has done a great deal of benefit to the United States of America.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I just want to be very, very clear. I was not originally much of a supporter

before I knew anything about the industry. I didn't know about the industry. Indeed, it was through the bipartisan work on the Science, Space, and Technology Committee that I got to know the industry and to value the role that the commercial space industry plays.

I, actually, don't have a quibble with the American taxpayers in their providing the kind of support in the development work and in resources that are available through NASA to support the industry. I, actually, think it is a good thing for us to do. But I don't want to hide the fact that, given that and that kind of responsibility, it is also our responsibility to provide an important safety framework for the industry to proceed, especially as we go into the future, imagining that we will have many other players.

I would also say that I am concerned about what we do around liability—how we create both a safety regulatory regime but also place liability where it belongs. Although, in the manager's amendment, the majority does try to deal with the question of Federal court jurisdiction, what we don't deal with is this idea of cross-waivers. That is, if you are a passenger—you could be a researcher, not anyone who is particularly wealthy—and if something happens, then you have waived all of your liability even in a case where there would be negligence involved. This, I think, ought to raise great concerns.

The reality is that, at the end of the day, if there is any kind of catastrophic accident, the American taxpayers will, of course, bear the responsibility as we always have for those accidents.

I reserve the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

My friend on the other side makes a good point in that a lot of people may not know about spaceflight or commercial spaceflight, and they may not know about this bill. That is why this is a great opportunity to explain, and that is why the majority on this side gave the bill to the minority last October. Unfortunately, it was 5 months before anything came back.

There is one point that was brought up—indemnification. That has been extended 9 times in the last 25 years, and it has never been used. The one thing that needs to be noted is that we are in competition with the rest of the world. We are more stringent in this than is any other country with their space. If we plan on being the leader, we need to have the legislation move forward.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. I thank the majority leader for yielding.

Mr. Chairman, earlier this morning, during debate, there have been a number of letters—a litany of letters—by various organizations offered for the RECORD, so I thought it would be appropriate, in the interest of intellectual honesty, actually, to enter a couple of records myself.

Let me read from one of them here:

On May 13, 2015, the Committee on Science, Space, and Technology conducted a markup of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015. During the markup—I will leave the Member's name out—submitted a letter for the record from Joanne Gabrynowicz, a former professor of space law at the University of Mississippi. After reviewing the letter, we, the undersigned, feel it is important to clarify some errors in Ms. Gabrynowicz' interpretation of H.R. 1508 and to highlight some constructive elements of the bill. There is a duplicate bill in the Senate cosponsored by Senators PATTY MURRAY and MARCO RUBIO. Our comments apply to both.

The basic claims made in the letter rest on two issues: an allegation that the bill violates article II of the Outer Space Treaty and an allegation that the U.S. Government has no licensing regime in place for commercial space activities envisioned by the bill.

Both statements are based on a misreading of the intent and words of the bill.

They go on with another four or five pages to clarify what was completely misleading there. This letter is signed by Henry R. Hertzfeld, Co-Chair of the American Branch, International Law Association, Research Professor of Space Policy and International Affairs, Elliott School of International Affairs and Adjunct Professor of Law, The George Washington University; by Matthew Schaefer, Law Alumni Professor of Law, Director—Space, Cyber and Telecommunications Law Program, University of Nebraska College of Law, Co-Chair, American Branch of International Law Association—Space Law Committee; by James C. Bennett, Consultant, Fort Collins, Colorado, Space Fellow, Economic Policy Centre, London; and by Mark J. Sundahl, Professor and Associate Dean for Administration, Cleveland State University, Cleveland-Marshall College of Law.

MAY 15, 2015.

DEAR MAJORITY LEADER MCCARTHY, CHAIRMAN SMITH, RANKING MEMBER JOHNSON, CHAIRMAN PALAZZO, AND RANKING MEMBER EDWARDS: On May 13, 2015, the Committee on Science, Space, and Technology conducted a markup of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015. During the markup Ranking Member Johnson submitted a letter for the record from Joanne Gabrynowicz, a former professor of space law at the University of Mississippi. After reviewing the letter we, the undersigned, feel it is important to clarify some errors in Ms. Gabrynowicz's interpretation of H.R. 1508 and highlight some constructive elements of H.R. 1508. There is a duplicate bill in the Senate, S. 976, co-sponsored by Senators Patty Murray and Marco Rubio. Our comments, below, apply to both H.R. 1508 and S. 976.

The basic claims made in the letter commenting on H.R. 1508 and, by extension, S. 976 rest on two issues:

1. An allegation that the bill violates Article II of the Outer Space Treaty (OST), and

2. An allegation that the U.S. Government has no licensing regime in place for commercial space activities envisioned by the bill.

Both statements are based on a misreading of the intent and words of the bill.

1. With regard to the allegation that the bill violate the OST by enabling national appropriation:

The bill does not grant U.S. jurisdiction to an asteroid or any asteroid resource. It does grant U.S. jurisdiction to companies that fall under U.S. jurisdiction as specifically defined in §51301 with the intent of adjudicating claims of ''harmful interference'' between those companies if such allegations are made in the future. Protecting entities from ''harmful interference'' is consistent with, and indeed furthers, the purposes of the OST, that requires ''due regard'' be given to other's space activities and requires advance consultations if a proposed activity ''would cause potentially harmful interference.''

The letter states that the bill is addressing ''unextracted resources.'' In fact, there are several steps: identifying the resources, extracting resources, and then using/delivering them. The words of the bill are ''resources obtained'', leaving the unknown technical details to be specified in the future when they can be better defined and a process can be developed for regulatory actions as needed. In any event, ''obtained'' is inconsistent with ''unextracted.''

The use of the word ''in situ'' in defining space resources simply means resources in place in outer space; but any such resource within or on an asteroid would need to be ''obtained'' in order to confer a property right. The use of the word ''in situ'' in merely defining a space resource in the bill is not equivalent to claiming sovereignty or control over celestial bodies or portions of space. Further, there is clear Congressional direction in the bill that the President is only to encourage space resources exploration and utilization, including lowering barriers to such activity, ''consistent with'' and ''in accordance with'' US international obligations—which precludes Ms. Grabynowicz' interpretation of the impact of the term ''in situ.''

The bill does not, in any manner, claim sovereignty over a celestial body or portions of outer space; it only provides for rights for private entities to use the resources on a celestial body (specifically asteroids) just as States have in the past. Article I of the Outer Space Treaty states that ''the Moon and other celestial bodies, shall be free for exploration and use by all States''. This Article has been interpreted as allowing for the extraction of natural resources.

Examples: return of Moon rocks and soil by U.S. and Russia (Soviet Union); return of asteroid materials by Japan. Each government has declared that these are their property and has enforced that action:

United States Government has treated the theft of moon rocks as a criminal offense

Russia has in the past put moon rocks up for a public auction

Japan has put its asteroid materials in a Japanese museum A customary international law of the right to claim ownership over extracted natural resources has emerged due to the collections of moon rocks by the United States and the subsequent gifting of these rocks to foreign nationals without any objections from any states.

In the ''One Lucite Ball'' case, the United States District Court for the Southern District of Florida, Miami Division, upheld the right of Honduras to assert ownership over a moon rock (unpublished Case No. 01–0116–CIV–JORDAN). The court discussed two sales of lunar rock samples involving private parties (one involving a slide of lunar dust sold at Sotheby's auction and the second involving the lunar sample and plaque given by the U.S. to Nicaragua that was purchased by a private buyer from the middle east).

The NASA proposed Asteroid Recovery Mission involves similar technologies and the current proposal is to move a boulder from an asteroid to a lunar orbit. Some of these activities may be done in partnership with private entities in the United States.

These activities, ranging from scientific missions to commercial sales have never been judged to be in violation of Article II of the OST.

If governments and private companies are ever going to ''use'' space for benefits to all humankind, the extraction of resources from celestial bodies will have to be allowed, and this foreseeable future is provided for in the space treaties. There is no prohibition on private entities or profit-making entities performing these services either for themselves or for their governments.

However, government(s) are responsible for the continuing supervision of non-government activities in outer space (Art. VI of the OST), and the United States Government has the most complete and comprehensive set of regulations for space in the world.

There already exist regulatory requirements for commercial companies that want to get to space and to use space. The particular U.S. regulatory mechanisms vary with each application but include launch payload reviews, spectrum/communications approvals, and, when appropriate, national security and export control approvals.

Since there are a variety of related new proposed activities in outer space (e.g. on-orbit satellite servicing) proposing a specific licensing requirement for resource utilization alone in this bill would be inappropriate until all new activities are reviewed together.

The required report in the bill is the first step in developing new procedures and processes for activities in outer space that have not been done before by private entities.

The criticism that this bill is to meet ''national needs'' alone is incorrect. Those words are taken out of the context of §51302. That section focuses on what the Federal agencies should do to encourage private activities in space and refers to the economic incentives for those companies. The global needs and information obtained from the science and technology behind resource extraction and use may indeed benefit all humankind through knowledge, through the future global provision of currently scarce minerals, and through expanded space exploration. Further, private foreign companies subject to the jurisdiction of the United States—and thus facing exposure to non-interference claims—also can be beneficiaries of non-interference rights under the bill.

Last month the U.S. State Department made a statement at the United Nations Committee On the Peaceful Uses of Outer Space (COPUOS) that clearly outlines a responsible path to balancing the requirements of our Treaty obligations with the needs of new commercial entities in space:

''My Government sees great promise in private investment in path-breaking new activities to advance our understanding of the solar system and to unlock new space applications that benefit all mankind. The history of space exploration—and innovation—teaches us that it is difficult, if not impossible, to foresee the technological innovations, and downstream applications, arising from efforts to push the envelope of exploration—and that the benefits of these innovations and applications are enjoyed across the Earth. As the United States goes about encouraging private investment—from all nations—in the peaceful exploration and use of outer space, *and evolves its national mechanisms for authorizing and supervising non-governmental space activities*, we will continue to be guided by the four core, and widely accepted, treaties on space—the Outer Space Treaty, the Rescue and Return Agreement, and the Liability and Registration Conventions. Under the legal framework of these treaties, the use of space by nations, international organizations, and private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.'' [*Emphasis added*]

The Space Resource Exploration and Utilization Act is in complete compliance with all existing international obligations of the United States. The bill further insists that actions taken pursuant to the bill, both by the Executive Branch and U.S. commercial space resource utilization entities (to benefit from non-interference rights), be consistent with international obligations of the United States. The bill also compliments and furthers the position of the Executive Branch. As Ms. Gabrynowicz notes in her letter regarding the Presidential report requirement, ''This may be sufficient.'' Indeed, it is not only sufficient but the most pragmatic path forward for the U.S. Government to create a process, informed by industry and international concerns, that creates the legal framework necessary to meet our existing international obligations. Creating such a legal framework right now would be short-sighted and likely hamper or destroy our growing space resource industry. Placing a legal framework in this bill is not needed to meet any current United States international obligations. There are adequate interim means of meeting those obligations through existing authorities should new activities in outer space begin before constructing a new legal framework.

The U.S., between 1980 and the effective date of the Commercial Space Launch Act, October 1984, set precedents for OST-compliant control in the absence of explicit legislation or activity-specific regulation. Two suborbital launch vehicles were privately developed and tested in the U.S. during that time period, Space Services Inc.'s Percheron (1980) and Arc Technologies' (later Starstruck, Inc.'s) Dolphin (1983–84). The U.S. Government licensed both activities. In each case, the Government used existing regulatory requirements and mechanisms (FAA airspace control, FCC radio licenses, OMC export permits) to review the proposed activities and impose conditions such as liability insurance on the launch operators. Lessons learned from these licensing exercises were incorporated in the drafting of the Commercial Space Launch Act.

Therefore, there is U.S. precedent for control of space activities, adequate to satisfy OST requirements for supervision and control, even in the absence of specific statutory law or regulation describing the particulars of the activity in question. Using these interim mechanisms can serve to provide an experience base for crafting better legislation subsequently.

In summary, the bill is a necessary step to begin to address our obligations of continuing supervision for commercial space activities and to fulfill our commitments under the terms of the OST.

It is also important to note the many constructive things that H.R. 1508 and S. 976 accomplish:

1. Advance U.S. Technology and Leadership

a. H.R. 1508 and S. 976 provide a legal foundation that provides private U.S. companies to ability to raise funds, protect their investments, employ aerospace professionals, and develop cutting edge aerospace technologies.

b. Other nations, such as China and Russia, have stated an intent to recover resources from objects in space. H.R. 1508 and S. 976 give U.S. industry a legal foundation that provides a head start to compete with these nations.

2. Create Constructive Dialogue for International Frameworks for Commercial Space Resource Exploration and Utilization

a. As stated by the U.S. delegate to COPUOS, the U.S. will need to develop a framework that meets existing international obligations and creates an environment in which all nations can benefit from space resource exploration and utilization. H.R. 1508 and S. 976 allow the U.S. to lead and direct this international discussion.

A failure to pass H.R. 1508 and S. 976 will create uncertainty about the U.S. Government's position on space resource exploration and utilization. This uncertainty would be extremely detrimental to our developing space resource industry and it would provide encouragement for other nations to challenge our leadership in this area.

It is apparent that considerable effort has gone into drafting H.R. 1508 and S. 976. These bills create a valid legal foundation to begin the processes necessary to create informed oversight mechanisms, which are required by the treaties, and are in compliance with all existing U.S. international obligations.

Sincerely,

HENRY R. HERTZFELD,
Co-Chair of the American Branch, International Law Association, Research Professor of Space Policy and International Affairs, Elliott School of International Affairs and Adjunct Professor of Law, The George Washington University.

MATTHEW SCHAEFER,
Law Alumni Professor of Law, Director—Space, Cyber and Telecommunications Law Program, University of Nebraska College of Law, Co-Chair, American Branch of International Law Assoc.—Space Law Committee.

JAMES C. BENNETT, CONSULTANT,
Fort Collins, Colorado, Space Fellow, Economic Policy Centre, London.

MARK J. SUNDAHL,
Professor and Associate Dean for Administration, Cleveland State University, Cleveland—Marshall College of Law.

Mr. POSEY. There is a similar letter, and I will submit that also. It is by Dennis J. Burnett, District of Columbia Bar Association; J.D., University of Nebraska; LL.M., Georgetown University; Adjunct Professor of Law, University of Nebraska College of Law—U.S. Trade Law and Commercial Space Law; Vice Chairman, Advisory Board, Space, Cyber and Telecom Program, University of Nebraska College of Law; Secretary and Director, International Institute of Space Law.

MAY 16, 2015.

DEAR MAJORITY LEADER MCCARTHY, CHAIRMAN SMITH, RANKING MEMBER JOHNSON, CHAIRMAN PALAZZO, AND RANKING MEMBER EDWARDS: On May 13, 2015, the Committee on Science, Space, and Technology conducted a mark-up of four critical space-related bills. Among the bills considered was H.R. 1508, the Space Resource Exploration and Utilization Act of 2015.

During the markup Ranking Member Eddie Bernice Johnson submitted a letter for the record from Joanne Gabrynowicz, Professor Emerita of space law at the University of Mississippi. After reviewing H.R. 1508 and Professor Gabrynowicz's letter, I would like to comment on several issues of international law related to the proposed legislation.

In particular, I will comment on the following issues: (1) whether recognition of property rights in asteroid resources would result in a ''national appropriation'' in violation of Article II of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and other Celestial Bodies (the ''Outer Space Treaty''); and (2) whether the absence of the creation of a licensing regime by H.R. 1508 would result in a failure to authorize and supervise the activities of nationals of the United States in the exploration and use of outer space as is required by Article VI of the Outer Space Treaty.

Is the use of asteroid resources and acquisition of property rights in asteroid resources is not a violation of Article II of the Outer Space Treaty?

It should be clearly stated that there is no provision of the Outer Space Treaty that explicitly prohibits the acquisition of property rights in asteroid resources. To the contrary, the Outer Space Treaty explicitly recognize the right of ''exploration and use'' of outer space, including the moon and other celestial bodies. A right of use is a well-recognized property right in both common law and civil law.

While it may be asserted that granting property rights in asteroid resources is a national appropriation, this assertion is inconsistent with state practice. For example, Moon rocks and soil returned to the Earth by U.S. and Russia (Soviet Union), and asteroid materials return to Earth by Japan have been treated as property of those governments. The United States has prosecuted theft of moon rocks and Russia has auctioned moon rocks. These actions have never been judged to be in violation of Article II of the Outer Space Treaty.

Does the absence of a licensing regime in H.R. 1508 result in a failure to authorize and supervise the activities of nationals of the United States in violation of Article VI of the Outer Space Treaty?

It is quite clear that Article VI of the Outer Space Treaty requires the United States to authorize and supervise the activities of its nationals in outer space. It also is clear that H.R. 1508 does not authorize any executive agency or any independent commission to regulate (i.e., authorize and supervise) the activities of U.S. nationals in outer space that are not already regulated.

It is my understanding that there are a variety of new proposed activities in outer space (e.g on-orbit satellite servicing, space tourism, moon habitation, solar satellites, etc.). It may be argued that these activities need appropriate authorization and supervision by the United States if conducted by nationals of the United States. At this time it appears that there is no agreement on basic issues of what authority is required, which agency, if any, should authorize and supervise, which agency should have which responsibility and what resources would be required to implement those responsibilities.

In lieu of imposing a solution when the problem is not fully understood, it is my understanding that the drafters of H.R. 1508 propose that the President prepare a report to Congress as the first step in developing new procedures and processes for activities in outer space for which there may be no existing agency authority to authorize and supervise. It appears that the drafters are attempting to create a valid legal foundation to begin the processes necessary to create appropriate mechanisms for any authorization and supervision that may be required by the Outer Space Treaty and other existing U.S. international obligations.

Very truly yours,

DENNIS J. BURNETT.

Mr. POSEY. I think that, clearly, they reflect that there has been some misleading information put forth in objecting to this bill, and I urge my colleagues to take that into consideration and to vote favorably for this badly needed historic and constructive legislation to make America's space program and commercial space industry much better.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Just for the record, I would note that the letters that have been submitted by the majority are interesting. I would note that one of the authors, in fact, is paid by one of the companies that is involved in this legislation, so we should take that into consideration.

I also want to point out that, with respect to indemnification, again, the United States in current—today's—dollars bears a responsibility for about $3 billion in indemnification should there be an accident.

Lastly, of course, it is really important for us to understand that these liability concerns are not small potatoes. In fact, the Judiciary Committee should have taken a look at this when it came to looking at Federal court jurisdiction. We should have had additional hearings on this when it comes to looking at the impact on international treaties. We have not had any hearings in that regard. I just think we ought to proceed more responsibly.

I reserve the balance of my time.

□ 1115

Mr. MCCARTHY. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I rise today to support H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015, or the SPACE Act.

Since 2004, when Congress last amended the Commercial Space Launch Act, commercial space companies have made significant contributions to space technology development and helped to strengthen American leadership in space. Congress must keep up with the changes in the industry, and the CSLA needs to be updated to ensure that the space sector can flourish in the years to come.

Currently, all major spacefaring nations require some form of third-party liability insurance for launching entities. The indemnification regime of the CSLA expires next year. The act would extend indemnification to 2025 in order to prevent U.S. launches from going overseas and taking high-tech American jobs with them.

In a letter praising the act's extension of the indemnification, Tom Stroup, president of the Satellite Industry Association, wisely stated that the act is ''an important step in maintaining U.S. innovation and leadership in satellite launch and one that promotes overall access to space.'' Several other groups, such as the Commercial Spaceflight Federation, have had similar comments praising the extension.

Moreover, this bill promotes stability and flexibility in the commercial space market through regulatory reform. By extending the learning period to 2025, the Federal Aviation Administration and industry will have more time to collect information and develop a safety framework for commercial spaceflight. This will ensure that the growing commercial space market will not be overburdened with uninformed regulations.

Space-based technology has become a vital part of our economy. Americans rely on it every day, from GPS to weather forecasting to land remote sensing, in everything we do.

The SPACE Act gives the private sector a chance to expand this growing portion of our economy by allowing commercial spaceflight companies to take passengers to and from space and by setting the groundwork for a comprehensive safety framework that will guide future spacefaring activities.

Now is not the time to turn our backs on the innovators and the entrepreneurs who have made this Nation great. If we care about American leadership in space and the American space economy, I urge you to support this important piece of legislation.

Ms. EDWARDS. Mr. Chairman, I have no further speakers, and I yield myself the balance of my time.

Mr. Chairman, I rise here today because, as I said in my opening remarks, that I think that most of us on both sides of the aisle share the excitement about the commercial space industry and we do indeed want it to succeed.

We all work for the taxpayer; and the American taxpayer, as I have stated, has a vested interest in the commercial space industry because we have laid out hundreds of millions of dollars, billions of dollars to support it.

Mr. Chairman, the Senate yesterday marked up a bipartisan compromise bill with very few changes to it. On the other hand, this bill, if it passes the House unchanged, is going to be dead in the water. But if we pass the substitute that we are considering later on, that I offer later today, we will have a great chance to do some real lawmaking. It will not have addressed all of the industry concerns. It will not have done anything to get in the way of the advance of commercial space.

So I urge my fellow Members to support a bipartisan process that began over in the Senate. Vote for the substitute amendment later on and say, you know, we can start fresh here, not with something that just disadvantages consumers and taxpayers. Let's try to be on the same page when it comes to the strong support that I think each side feels with respect to the commercial space industry.

I yield back the balance of my time.

Mr. MCCARTHY. Mr. Chairman, I yield myself such time as I may consume.

I have one question for everyone here: Do you believe America is exceptional?

Fifty-four years ago, President Kennedy spoke to a joint session of Congress in this very Chamber, and he set forth an astounding goal: to put an American on the Moon before the end of the decade.

Many doubted our ability to do that. But like America has done throughout our history, we proved them wrong. So on July 20, 1969, Neil Armstrong took one small step and changed the course of history.

You see, President Kennedy's vision is part of America's fundamental character. We are pioneers. We always move forward. We never back down from a challenge, and beating the odds is in our DNA.

This was the case for our very founding. We brought forth a new nation in pursuit of a more perfect union. With the winds of freedom at our back, we headed west to unchartered lands, relying on the same spirit of adventure that endures in the Central Valley of California to this day.

We watched as two bicycle repairmen flew above the sand and waves on a beach in North Carolina, not because of government grants or Washington connections, but because they had the audacity to make a dream a reality.

Today, dorm room startups and tech entrepreneurs are connecting our entire world, paving the way to tomorrow.

The world looks to America because we give them a reason to look to us. We show them a vision of the future, and we deliver. But we can't take our global leadership and innovation for granted. Today we pay Russia $70 million for one seat on their rocket.

Right now there is a new generation of pioneers. They want to embark on the next stage of space exploration, and we should not hold them back. The truth is Washington never comes up with the next big idea, but we can support those innovators who do and create the best environment possible for them to succeed.

Steve Jobs, one of America's great innovators, once said ''innovation distinguishes between a leader and a follower.'' That is true for people and for a country. Those words carry special meaning for everyone who ever dared to venture off the beaten path. It means something to the small-business owners working at their kitchen tables and the inventors tinkering in the dorm rooms and garages. It means something to every kid who ever dreamed of space and who still dreams of leading us in a journey to the stars.

So for all American pioneers, those who will lead our Nation through the 21st century, I again ask: Do you believe America is exceptional? Because I do.

I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–17. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2262

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 ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or the ''SPACE Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMMERCIAL SPACE LAUNCH

Sec. 101. Consensus standards.
Sec. 102. International launch competitiveness.
Sec. 103. Launch license flexibility.
Sec. 104. Government astronauts.
Sec. 105. Indemnification for space flight participants.
Sec. 106. Federal jurisdiction.
Sec. 107. Cross-waivers.
Sec. 108. Orbital traffic management.
Sec. 109. State commercial launch facilities.
Sec. 110. Space support vehicles study.
Sec. 111. Streamline commercial space launch activities.
Sec. 112. Space Launch System update.

TITLE II—SPACE RESOURCE EXPLORATION AND UTILIZATION

Sec. 201. Short title.
Sec. 202. Title 51 amendment.

TITLE III—COMMERCIAL REMOTE SENSING

Sec. 301. Annual reporting.
Sec. 302. Statutory update report.

TITLE IV—OFFICE OF SPACE COMMERCE

Sec. 401. Renaming of Office of Space Commercialization.
Sec. 402. Functions of the Office of Space Commerce.

TITLE I—COMMERCIAL SPACE LAUNCH

SEC. 101. CONSENSUS STANDARDS.

Section 50905(c) of title 51, United States Code, is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraph (4) as paragraph (8); and

(3) by inserting after paragraph (2) the following:

''(3) INTERIM INDUSTRY VOLUNTARY CONSENSUS STANDARDS REPORT.—The Secretary, in consultation with the Commercial Space Transportation Advisory Committee, or its successor organization, shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of the commercial space transportation industry in developing voluntary consensus standards or any other construction that promotes best practices to improve the industry. Such report shall include, at a minimum—

''(A) any voluntary industry consensus standards or any other construction that have been accepted by the industry at large;

''(B) the identification of areas that have the potential to become voluntary industry consensus standards or another potential construction that are currently under consideration by the industry at large;

''(C) an assessment from the Secretary on the general progress of the industry in adopting voluntary consensus standards or any other construction;

''(D) lessons learned about voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations;

''(E) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards or any other construction, best practices, and commercial space launch operations; and

''(F) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organization, on the progress of the industry in developing industry consensus standards or any other construction.

This report, with the appropriate updates in the intervening periods, shall be transmitted to such committees no later than December 31, 2016, December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.

''(4) INTERIM REPORT ON KNOWLEDGE AND OPERATIONAL EXPERIENCE.—The Secretary shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the of the Senate on the status of the knowledge and operational experience acquired by the industry while providing flight services for compensation or hire to support the development of a safety framework. Interim reports shall by transmitted to such committees no later than December 31, 2018, December 31, 2020, and December 31, 2022. Each report shall describe and assess the progress achieved as of 6 months prior to the specified transmittal date.

''(5) INDEPENDENT REVIEW.—No later than December 31, 2023, an independent, private systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—

''(A) the progress of the commercial space industry in adopting industry voluntary standards or any other construction as reported by the Secretary in the interim assessments included in reports provided under paragraph (4); and

''(B) the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire as reported by the Secretary in the interim knowledge and operational reports provided under paragraph (4).

''(6) LEARNING PERIOD.—Beginning on December 31, 2025, the Secretary may propose regulations under this subsection without regard to paragraph (2)(C) and (D). The development of any such regulations shall take into consideration the evolving standards of the commercial space flight industry as identified through the reports published under paragraphs (3) and (4).

''(7) COMMUNICATION AND TRANSPARENCY.—Nothing in this subsection shall be construed to limit the authority of the Secretary of Transportation to discuss potential approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.''.

SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.

(a) PURPOSE.—The purpose of this section is to provide for updating the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach to provide reasonable maximum probable loss values associated with potential third party losses from commercially licensed launches. An appropriately updated methodology will help ensure that the Federal Government is not exposed to greater financial risks than intended and that launch companies are not required to purchase more insurance coverage than necessary.

(b) MAXIMUM PROBABLE LOSS PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to update the methodology used to calculate maximum probable loss from claims under section 50914 of title 51, United States Code, through the use of a validated risk profile approach. Such plan shall include, at a minimum—

(1) an evaluation of the reasonableness of the current single casualty estimate and, if needed, the steps the Secretary will take to update such estimate;

(2) an evaluation, in consultation with the Administrator of the National Aeronautics and Space Administration and the heads of other relevant executive agencies, of the reasonableness of the dollar value of the insurance requirement required by the Secretary for launch providers to cover damage to Government property resulting from a commercially licensed space launch activity, and recommendations as to a reasonable calculation if, as determined by the Secretary, the current statutory threshold is insufficient;

(3) a schedule of when updates to the methodology and calculations for the totality of the Maximum Probable Loss will be implemented, and a detailed explanation of any changes to the current calculation; and

(4) consideration of the impact of the cost of its implementation on the licensing process, both in terms of the cost to industry of collecting and providing the requisite data and cost to the Government of analyzing the data.

(c) INDEPENDENT ASSESSMENT.—Not later than 270 days after transmittal of the plan under subsection (b), the Comptroller General shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of—

(1) the conclusions and analysis provided by the Secretary of Transportation in the plan required under subsection (b);

(2) the implementation schedule proposed by the Secretary in such plan;

(3) the suitability of the plan for implementation; and

(4) any further actions needed to implement the plan or otherwise accomplish the purpose of this section.

(d) LAUNCH LIABILITY EXTENSION.—Section 50915(f) of title 51, United States Code, is amended by striking ''December 31, 2016'' and inserting ''December 31, 2025''.

SEC. 103. LAUNCH LICENSE FLEXIBILITY.

Section 50906 of title 51, United States Code, is amended—

(1) in subsection (d), by striking ''launched or reentered'' and inserting ''launched or reentered under that permit'';

(2) by amending subsection (d)(1) to read as follows:

''(1) research and development to test design concepts, equipment, or operating techniques;'';

(3) in subsection (d)(3), by striking ''prior to obtaining a license'';

(4) in subsection (e)(1), by striking ''suborbital rocket design'' and inserting ''suborbital rocket or rocket design''; and

(5) by amending subsection (g) to read as follows:

''(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter shall not invalidate a permit under this section.''.

SEC. 104. GOVERNMENT ASTRONAUTS.

(a) DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (5) through (23), respectively;

(2) by inserting after paragraph (3) the following new paragraph:

''(4) 'government astronaut' means an individual designated as such by the Administrator of the National Aeronautics and Space Administration, pursuant requirements established by the Administrator, who—

''(A) is an employee of—

''(i) the United States Government, including the United States Armed Forces; or

''(ii) a foreign government that is a party to the Intergovernmental Agreement Among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America Concerning Cooperation on the Civil International Space Station, signed on January 29, 1998; and

''(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.'';

(3) in paragraph (5), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''crew,'';

(4) in paragraph (7)(A), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''(including crew training),'';

(5) in paragraph (14), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronauts,'' after ''crew,'';

(6) in paragraph (15)(A), as so redesignated by paragraph (1) of this subsection, by inserting ''government astronaut,'' after ''(including crew training),'';

(7) by amending paragraph (18), as so redesignated by paragraph (1) of this subsection, to read as follows:

''(18) 'space flight participant' means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.''; and

(8) in paragraph (22)(E), as so redesignated by paragraph (1) of this subsection, by inserting '', government astronauts,'' after ''crew''.

(b) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) of title 51, United States Code, is amended by inserting '', government astronauts,'' after ''crew''.

(c) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)(2), by striking ''crews and space flight participants'' and inserting ''crew, government astronauts, and space flight participants'';

(2) in subsection (b)(2)(D), by inserting '', government astronauts,'' after ''crew''; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting '', government astronauts,'' after ''crew''; and

(B) in paragraph (2), by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

(d) MONITORING ACTIVITIES.—Section 50907(a) of title 51, United States Code, is amended by striking ''crew or space flight participant training'' and inserting ''crew, government astronaut, or space flight participant training''.

(e) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) of title 51, United States Code, is amended by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

SEC. 105. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

Chapter 509 of title 51, United States Code, is amended—

(1) in section 50914(a)(4), by adding at the end the following:

''(E) space flight participants.''; and

(2) in section 50915(a)(1)—

(A) by striking ''or a contractor'' and inserting ''a contractor''; and

(B) by striking ''but not against'' and inserting ''or''.

SEC. 106. FEDERAL JURISDICTION.

Section 50914 of title 51, United States Code, is amended by adding at the end the following:

''(g) FEDERAL JURISDICTION.—Any action or tort arising from a licensed launch or reentry shall be the sole jurisdiction of the Federal courts and shall be decided under Federal law.''.

SEC. 107. CROSS-WAIVERS.

Section 50914(b)(1) of title 51, United States Code, is amended to read as follows: ''(1) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with its contractors, subcontractors, and customers, the contractors and subcontractors of the customers, and any space flight participants, involved in launch services or reentry services or participating in a flight under which each party to the waiver agrees to be responsible for property damage or loss it or they sustain, or for personal injury to, death of, or property damage or loss sustained by its own employees resulting from an activity carried out under the applicable license.''.

SEC. 108. ORBITAL TRAFFIC MANAGEMENT.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that, as none currently exists, there may be a need for a framework that addresses space traffic management of United States Government assets and United States private sector assets to minimize the proliferation of debris and decrease the congestion of the orbital environment.

(b) STUDY REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Aeronautics and Space Administration shall enter into an arrangement with an independent, private systems engineering and technical assistance organization to study frameworks for the management of space traffic and orbital activities. The study shall include the following:

(1) An assessment of current regulations, Government best practices, and industry standards that apply to space traffic management and orbital debris mitigation.

(2) An assessment of current statutory authority granted to the Federal Communications Commission, the Federal Aviation Administration, and the National Oceanic and Atmospheric Administration and how those agencies utilize and coordinate those authorities.

(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other nonbinding international arrangements in which the United States participates, and the manner in which the Federal Government complies with those requirements.

(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.

(5) An assessment of the risk associated with smallsats as well as any necessary Government coordination for their launch and utilization.

(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.

(7) Recommendations related to the framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report required in subsection (b).

(d) DEPARTMENT OF DEFENSE AUTHORITIES.—Congress recognizes the vital and unique role played by the Department of Defense in protecting national security assets in space. Nothing in this section shall be construed to amend authorities granted to the Department of Defense to safeguard the national security.

SEC. 109. STATE COMMERCIAL LAUNCH FACILITIES.

It is the Sense of Congress that State involvement, development, ownership, and operation of launch facilities can help enable growth of the Nation's commercial suborbital and orbital space endeavors and support both commercial and Government space programs. It is further the sense of Congress that State launch facilities and the people and property within the affected launch areas of those State facilities are subject to risks if the commercial launch vehicle fails or experiences an anomaly. To ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas, it is the further sense of Congress that States and State launch facilities should seek to take proper measures to secure their investments and the safety of third parties from potential damages that could be suffered from commercial launch activities.

SEC. 110. SPACE SUPPORT VEHICLES STUDY.

Not less than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the use of space support vehicle services in the commercial space industry. This report shall include—

(1) the extent to which launch providers rely on such services as part of their business models;

(2) the statutory, regulatory, and market barriers to the use of such services; and

(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.

SEC. 111. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 112. SPACE LAUNCH SYSTEM UPDATE.

(a) CHAPTER 701.—

*(1) AMENDMENT.—The chapter heading of chapter 701 of title 51, United States Code, is amended by striking ''**SPACE SHUTTLE**'' and inserting ''**SPACE LAUNCH SYSTEM**''.*

(2) CONFORMING AMENDMENT.—The item relating to chapter 701 of title 51, United States Code, is amended by striking ''Space Shuttle'' and inserting ''Space Launch System''.

(b) SECTION 70101.—

(1) AMENDMENTS.—Section 70101 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**space shuttle**'' and inserting ''**Space Launch System**''; and*

(B) by striking ''space shuttle'' and inserting ''Space Launch System''.

(2) CONFORMING AMENDMENT.—The item relating section 70101 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''space shuttle'' and inserting ''Space Launch System''.

(c) SECTION 70102.—

(1) AMENDMENTS.—Section 70102 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**Space shuttle**'' and inserting ''**Space Launch System**'';*

(B) in subsection (a)(1)(A), by striking ''space shuttle'' both places it appears and inserting ''Space Launch System'';

(C) in subsection (a)(1)(A)(i), by inserting ''directly to cis-lunar space and the regions of space beyond low-Earth orbit'' after ''human presence'';

(D) in subsection (a)(1)(B), by striking ''a shuttle launch'' and inserting ''a launch of the Space Launch System'';

(E) in subsection (a)(2), by striking ''a space shuttle mission'' and inserting ''a mission of the Space Launch System'';

(F) in subsection (b)—

(i) by striking ''space shuttle'' each place it appears and inserting ''Space Launch System''; and

(ii) by striking ''from the shuttle'' and inserting ''from the Space Launch System'';

(G) in subsection (c), by striking ''space shuttle'' and inserting ''Space Launch System''; and

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

''(d) DEFINITION.—In this section, the term 'Space Launch System' means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010.''.

(2) CONFORMING AMENDMENT.—The item relating section 70102 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''Space shuttle'' and inserting ''Space Launch System''.

(d) SECTION 70103.—

(1) AMENDMENTS.—Section 70103 of title 51, United States Code, is amended—

*(A) in the section heading, by striking ''**space shuttle**'' and inserting ''**Space Launch System**''; and*

(B) by striking ''space shuttle'' each place it appears and inserting ''Space Launch System''.

(2) CONFORMING AMENDMENT.—The item relating section 70103 in the table of sections for chapter 701 of title 51, United States Code is amended by striking ''space shuttle'' and inserting ''Space Launch System''.

TITLE II—SPACE RESOURCE EXPLORATION AND UTILIZATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Space Resource Exploration and Utilization Act of 2015''.

SEC. 202. TITLE 51 AMENDMENT.

(a) IN GENERAL.—Subtitle V of title 51, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 513—SPACE RESOURCE EXPLORATION AND UTILIZATION

''Sec.
''51301. Definitions.

''51302. Commercialization of space resource exploration and utilization.
''51303. Legal framework.

''§ 51301. Definitions

''In this chapter:

''(1) SPACE RESOURCE.—The term 'space resource' means a natural resource of any kind found in situ in outer space.

''(2) ASTEROID RESOURCE.—The term 'asteroid resource' means a space resource found on or within a single asteroid.

''(3) STATE.—The term 'State' means any of the several States, 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.

''(4) UNITED STATES COMMERCIAL SPACE RESOURCE UTILIZATION ENTITY.—The term 'United States commercial space resource utilization entity' means an entity providing space resource exploration or utilization services, the control of which is held by persons other than a Federal, State, local, or foreign government, and that is—

''(A) duly organized under the laws of a State;

''(B) subject to the subject matter and personal jurisdiction of the courts of the United States; or

''(C) a foreign entity that has voluntarily submitted to the subject matter and personal jurisdiction of the courts of the United States.

''§ 51302. Commercialization of space resource exploration and utilization

''(a) IN GENERAL.—The President, acting through appropriate Federal agencies, shall—

''(1) facilitate the commercial exploration and utilization of space resources to meet national needs;

''(2) discourage government barriers to the development of economically viable, safe, and stable industries for the exploration and utilization of space resources in manners consistent with the existing international obligations of the United States; and

''(3) promote the right of United States commercial entities to explore outer space and utilize space resources, in accordance with the existing international obligations of the United States, free from harmful interference, and to transfer or sell such resources.

''(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this section, the President shall submit to Congress a report that contains recommendations for—

''(1) the allocation of responsibilities relating to the exploration and utilization of space resources among Federal agencies; and

''(2) any authorities necessary to meet the international obligations of the United States with respect to the exploration and utilization of space resources.

''§ 51303. Legal framework

''(a) PROPERTY RIGHTS.—Any asteroid resources obtained in outer space are the property of the entity that obtained such resources, which shall be entitled to all property rights thereto, consistent with applicable provisions of Federal law and existing international obligations.

''(b) SAFETY OF OPERATIONS.—A United States commercial space resource utilization entity shall avoid causing harmful interference in outer space.

''(c) CIVIL ACTION FOR RELIEF FROM HARMFUL INTERFERENCE.—A United States commercial space resource utilization entity may bring a civil action for appropriate legal or equitable relief, or both, under this chapter for any action by another entity subject to United States jurisdiction causing harmful interference to its operations with respect to an asteroid resource utilization activity in outer space.

''(d) RULE OF DECISION.—In a civil action brought pursuant to subsection (c) with respect to an asteroid resource utilization activity in outer space, a court shall enter judgment in favor of the plaintiff if the court finds—

''(1) the plaintiff—

''(A) acted in accordance with all existing international obligations of the United States; and

''(B) was first in time to conduct the activity; and

''(2) the activity is reasonable for the exploration and utilization of asteroid resources.

''(e) EXCLUSIVE JURISDICTION.—The district courts of the United States shall have original jurisdiction over an action under this chapter without regard to the amount in controversy.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 51, United States Code, is amended by adding at the end of the items for subtitle V the following:

''513. Space resource exploration and utilization ..... 51301''.

TITLE III—COMMERCIAL REMOTE SENSING

SEC. 301. ANNUAL REPORTING.

(a) IN GENERAL.—Subchapter III of chapter 601 of title 51, United States Code, is amended by adding at the end the following:

''§ 60126. Annual reporting

''The Secretary shall provide a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 180 days after the date of enactment of the SPACE Act of 2015 and annually thereafter on—

''(1) the Secretary's implementation of section 60121, including—

''(A) a list of all applications received in the previous calendar year;

''(B) a list of all applications approved;

''(C) a list of all applications denied;

''(D) a list of all applications that required additional information; and

''(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for applications that exceeded such deadline, and an explanation for the delay;

''(2) all notifications and information provided to the Secretary pursuant to section 60122; and

''(3) all actions taken by the Secretary under the administrative authority granted by section 60123(a)(4), (5), and (6).''.

SEC. 302. STATUTORY UPDATE REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with other appropriate Federal agencies and the National Oceanic and Atmospheric Administration's Advisory Committee on Commercial Remote Sensing, shall report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on statutory updates necessary to protect national security, protect privacy (which is not to be taken as altering any condition or standards for licensing), protect the United States industrial base, and reflect the current state of the art of remote sensing systems, instruments, or technologies.

TITLE IV—OFFICE OF SPACE COMMERCE

SEC. 401. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.

(a) CHAPTER HEADING.—

*(1) AMENDMENT.—The chapter heading for chapter 507 of title 51, United States Code, is amended by striking ''**COMMERCIALIZATION**'' and inserting ''**Commerce**''.*

(2) CONFORMING AMENDMENT.—The item relating to chapter 507 in the table chapters for title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

(b) DEFINITION OF OFFICE.— Section 50701 of title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

(c) RENAMING.—Section 50702(a) of title 51, United States Code, is amended by striking ''Commercialization'' and inserting ''Commerce''.

SEC. 402. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.

Section 50702(c) of title 51, United States Code, is amended by striking ''Commerce.'' and inserting ''Commerce, including to—

''(1) foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

''(2) coordinate space commerce policy issues and actions within the Department of Commerce;

''(3) represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

''(4) promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant interagency working groups; and

''(5) provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position, Navigation, and Timing.''.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–127. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114–127.

Mr. SMITH of Texas. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 18, strike ''(4)'' and insert ''(3)''.

Page 14, lines 18 and 19, strike ''and shall be decided under Federal law''.

Page 15, line 18, insert '', in consultation with the Federal Aviation Administration, the Federal Communications Commission, the National Oceanic and Atmospheric Administration, and the Department of Defense,'' after ''National Aeronautics and Space Administration''.

Page 17, line 18, insert ''(a) SENSE OF CONGRESS.—'' before ''It is the Sense''.

Page 18, after line 8, insert the following:

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.

Page 23, line 19, insert ''in the table of chapters'' after ''chapter 701''.

Page 31, line 22, amend subparagraph (C) to read as follows:

''(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

Page 32, line 10, after paragraph (3), insert the following:

Such report may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

Page 32, after line 10, insert the following:

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 601 of such title is amended by inserting after the item relating to section 60125 the following new item:

''60126. Annual reporting.''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, this amendment contains minor corrections to the underlying bill and is generally technical in nature. The amendment provides clarity to some of the reports in the bill on the learning period, orbital traffic management, commercial remote sensing, and the inclusion of classified annexes.

Additionally, this amendment ensures that Federal courts handling legal disputes will look to substantive State law to resolve claims that arise from a federally licensed launch.

Finally, this amendment includes a reporting requirement from the Government Accounting Office about the inclusion of State and municipal launch facilities in the indemnification regime.

This technical amendment will improve the clarity of multiple sections of the bill and ensure continued support for the growing commercial space industry. I urge my colleagues to support the amendment.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I claim the time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

There was no objection.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

The amendment partially addresses the concerns that we have had with the Federal jurisdiction provision in H.R. 2262. Maintaining ''under Federal law'' would have resulted in eliminating the rights of individuals to bring almost any type of legal action against companies related to commercial spaceflight accidents due to the lack of any applicable Federal law.

I would also like to highlight another change in the manager's amendment that goes beyond a technical remedy or a simple clarification. The amendment adds a requirement for the Secretary of Commerce to provide an annual report on its review of applications for licenses for commercial remote sensing. The manager's amendment now makes accommodation for the inclusion of classified annexes as necessary.

Mr. Chair, while this is a necessary addition to protect the disclosure of sensitive or classified information, it is only necessary because this amendment adds the requirement for the Secretary of Commerce to provide information related to the interagency adjudication process of a commercial remote sensing licensing request.

I highlight these two changes because they demonstrate that the process of developing H.R. 2262 has, in fact, been rushed and not very well thought out. Had we taken the time to hold hearings and sort things out, we actually could have had an opportunity to consider these changes as part of the committee process.

That said, I support the chairman's amendment to make some needed improvements to the bill, though I firmly believe it still needs an awful lot more work.

I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A House Report 114–127.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, lines 18 through 20, amend paragraph (1) to read as follows:

(1) in subsection (d), by striking ''that will be launched or reentered'' and inserting ''or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit'';

Page 10, lines 1 and 2, amend paragraph (3) to read as follows:

(3) in subsection (d)(3)—

(A) by striking ''prior to obtaining a license''; and

(B) by inserting ''or vehicle'' after ''design of the rocket'';

Page 10, line 5, insert '', or for a particular reusable launch vehicle or reusable launch vehicle design,'' after ''rocket design''.

Page 10, line 5, strike ''and''.

Page 10, line 6, redesignate paragraph (5) as paragraph (6).

Page 10, after line 5, insert the following new paragraph:

(5) in subsection (e)(2), by inserting ''or launch vehicle'' after ''the suborbital rocket'';

Page 10, line 11, strike the period at the end and insert ''; and''.

Page 10, after line 11, insert the following new paragraph:

(7) in subsection (h), by inserting ''or reusable launch vehicle'' after ''suborbital rocket''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, today I rise to offer an amendment to support and facilitate innovation in cutting-edge American enterprises. My amendment will expand the eligibility for experimental permits for reusable rockets to include reusable launch vehicles.

Experimental permits currently have three uses: the research and development of new test designs, concepts, equipment, or operating techniques; to show compliance with requirements as part of the process for obtaining a license; or to train crews before they receive a license for launch or reentry. However, the FAA currently does not have the ability to grant experimental permits for launch vehicles.

□ 1130

Under current law, they are restricted to granting permits for reusable suborbital rockets. This can require industry and the Federal Government to go to extraordinary lengths to find ways to conduct tests. In some cases, there is no alternative for testing.

Expanding access to these permits will help innovators develop new and important technologies right here in America. These permits will create new opportunities for American businesses and will help harness the tremendous potential of our space exploration industry.

I want to thank Chairman LAMAR SMITH, Ranking Member EDDIE BERNICE JOHNSON, and their staffs for their assistance with this amendment, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment ensures that the commercial space industry is not pigeonholed into specific vehicle designs. By allowing different types of vehicles to be included in the launch license flexibility regime, we will allow the industry to grow, innovate, and continue to improve safety designs.

This amendment is reasonable and consistent with the spirit of the license flexibility provisions of the underlying bill. I support the gentleman's amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114–127.

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 12, insert the following new section:

SEC. 106. INDEPENDENT STUDY OF INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of a study of the issues associated with space flight participants and potential third party claims that could arise from a potential accident of a commercial licensed launch vehicle or reentry vehicle that is carrying space flight participants. The study shall—

(1) identify the issues associated with space flight participants and third party liability;

(2) identify options for addressing the issues;

(3) identify any potential unintended consequences and issues associated with each of the options; and

(4) identify any potential costs to the Federal Government for each of the options.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, my amendment calls for a study analyzing our approach to third-party liability with regard to spaceflight participants. The study will identify issues, options to address those issues, consequences of those options, and the potential cost to the Federal Government for each option.

I would note that the idea for this study was originally put forward by Ms. EDWARDS of Maryland, someone whom I deeply admire and listen to when she makes her points. We heard her make her points during discussion with our committee, and I felt it was a very good idea, and I am moving forward with it today.

The underlying bill includes a legislative fix for third-party liability and spaceflight participants. That is what our bill does. However, a study would see if there is even a better way or if we have covered all of our bases with the fix that is in this bill.

Right now, a spaceflight participant is financially at risk if the vehicle they fly on has some kind of an incident. It doesn't matter if you are a billionaire or someone who has scrimped for a long time to get one of these spaceflights, maybe a contest winner or a science teacher who wants to share his experience with students or a scientist accompanying their experiment.

Right now, these folks aren't just paying the fare; they are potentially risking everything that their family owns because they may be liable if something goes wrong.

As I say, we have a fix about that in the current bill, but this study would see if there is a better way, along with some other things we can do, to make that fix better. There is no reason at this point to believe that this approach is any worse than the other approaches, but let's keep our minds open.

Right now, we have a hole in the bridge, and this bill puts a patch on that hole. Let's see if there is a study to see if there is a better way to fix the bridge. In the meantime, we have got something in place in this bill—a study—to see if we can do a better job.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I rise in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

There was no objection.

Ms. EDWARDS. I want to note for the record, though I am not in opposition, I think the study is a good idea. Ideally, I would think that Congress would choose to study the thing before it actually passes the law, but that is not where we are today. I think it is a good idea to proceed forward with this amendment.

I yield back the balance of my time.

Mr. ROHRABACHER. I thank the gentlewoman for giving us the idea for this study in the first place, and I yield 1 minute to the gentleman from Texas (Mr. SMITH), the chairman of the committee.

Mr. SMITH of Texas. I thank my colleague from California (Mr. ROHRABACHER), a member of the Science, Space, and Technology Committee, for yielding me time.

I simply want to say that this amendment requires an independent report about the inclusion of spaceflight participants in the indemnification regime. This is an important topic, and gathering additional information on this policy would be helpful for future legislation.

Requiring this study is reasonable and consistent with the spirit and the policies of the underlying bill, so I support it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114–127.

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 19, insert ''nonprofit,'' after ''independent,''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, first, I would like to thank my colleague from San Antonio, Chairman LAMAR SMITH, and also follow Texan EDDIE BERNICE JOHNSON, the ranking member, for their work on this bill and for consideration of my amendment.

My amendment amends the section of the bill concerning the orbital traffic management study. The bill, as written, has the Administrator of NASA enter into an agreement with an independent private systems engineering and technical assistance organization to study frameworks for the management of space traffic and orbital activities.

My amendment would include nonprofits, so that nonprofit independent research organizations can contribute to this critical work. In addition to allowing for private contractors to be part of this discussion, my amendment would also allow for nonprofits to do the same.

In Texas, we have become a hub for space research and exploration. Some of the private industries or private businesses doing work in this business include Lockheed and Boeing, but there are also wonderful nonprofits like the Southwest Research Institute, in our hometown of San Antonio, and the Universities Space Research Association, which is based in Houston. My amendment would allow these nonprofits to also be part of this work.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the orbital traffic management study in the underlying bill to be conducted by an independent, nonprofit, private systems engineering and technical assistance organization.

Requiring the study to be done by a nonprofit is reasonable and consistent with the spirit of the study requirement in the underlying bill.

I appreciate the gentleman's amendment; I support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114–127.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 19, strike ''and''.

Page 22, line 23, strike the period and insert ''; and''.

Page 22, after line 23, insert the following:

(iii) facilitate outreach to minority- and women-owned businesses on business opportunities in the commercial space industry.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the manager of the bill, the chairman of the full committee, and the ranking member of the full committee for the hard work they do on issues that are important to our Nation and their service to this country. Let me also thank the gentlewoman from Maryland (Ms. EDWARDS) for her astute leadership on many of these issues.

Let me as well indicate my commitment to space exploration. As I said earlier, I hope that we can work on a number of issues, but I hope we can work together on what I think is an important economic engine for the Nation, first starting with John F. Kennedy's challenge to all of us and developing, through President Johnson, the NASA centers across America, and the enormous research that has been done by NASA over the years.

I remember debating this question of funding for NASA really in the 1990s and 2000s, talking about the research of heart disease, cancers, HIV/AIDS.

I say that to say that, as we move into commercial space exploration, we certainly want to make sure that opportunities are given to all of America. This is commercial, yes; but the provisions of commercial space work are enhanced by the government in the resources that we have.

My amendment is to provide that recognition and to conduct outreach to the small-, minority-, and women-owned business community. It requires that the provisions of the bill that address future legislation should include work on how to effectively conduct outreach to small business concerns owned and controlled by women and minorities.

As we have all worked hard to encourage small-business owners to produce jobs, this is a great entrepreneurial effort, and therefore, I support the initiatives that would increase an outreach to small businesses and create more jobs.

There are approximately 6 million minority-owned businesses in the United States—representing significant aspects of our economy—and many, many more women and small businesses and other minority-owned businesses.

Ms. JACKSON LEE. Mr. Chair, I thank Chairman SMITH and Ranking Member JOHNSON for their efforts to advance our nation's space exploration horizon.

I am a firm believer that commercial and government unmanned and manned space exploration complement each other.

The Internet was initially a federal government research and development project that transitioned to a commercial and public resource that has in less than 2 decades fueled economic opportunities for thousands of U.S. companies large and small.

The transition to commercial space exploration will need the collaboration and support of the Federal government to be sure that it is inclusive, safe and profitable.

The commercial space industry must yield opportunities for all U.S. businesses, which is why I am offering Jackson Lee Amendment Number 5.

The Jackson Lee Amendment requires that the provisions of the bill that address future legislation also lay the foundation for the commercial space industry to include work on how to effectively conduct outreach to small business concerns owned and controlled by women and minorities.

I have worked hard to help small business owners to fully realize their current and future potential.

That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs.

These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

Outreach is key to developing healthy and diverse small businesses in all sectors of the economy.

There are approximately 6 million minority owned businesses in the United States, representing a significant aspect of our economy.

According to the most recent available Census data, minority owned businesses employ nearly 6 million Americans and generate $1 trillion dollars in economic output.

Women owned businesses have increased 20% between 2002 and 2007, and currently total close to 8 million.

My home city of Houston, Texas, the home of the Johnson Space Center, is also home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

Just as the national highway system and rural electrification has led to opportunities for communities to participate in the national economy, so will federal investment in our nation's infrastructure and capacity in space exploration pave the way for a new era of economic growth and opportunity.

I ask my colleagues to vote for the Jackson Lee Amendments.

I would ask that my amendment be accepted, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, although I don't oppose it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the launch license streamlining report to include recommendations on how the FAA should facilitate outreach to minority- and women-owned businesses about opportunities in the commercial space industry. I don't object to the gentlewoman's amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. May I inquire how much time is remaining?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Let me conclude, Mr. Chairman, by saying that women-owned businesses have increased 20 percent between 2002 and 2007. They currently total close to $8 million. According to the most recent available Census data, minority-owned businesses employ nearly 6 million Americans and generate $1 trillion in economic output.

My home city of Houston, the home of the Johnson Space Center, is also home to more than 60,000 women-owned businesses, 60,000 African American-owned businesses, and multitudes of minority-owned businesses.

I would offer to say that, if we can include this amendment, that outreach to these entities under this commercial space exploration legislation will be adding more jobs to the American economy.

I ask for the support of the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114–127.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 19, strike ''and''.

Page 22, line 23, strike the period and insert ''; and''.

Page 22, after line 23, insert the following:

(iii) facilitate the participation of the Emerging Researchers National Conference in STEM, American Association for the Advancement of Science, Louis Stokes Alliances for Minority Participation Program (LAMP), Historically Black Colleges and Universities Undergraduate Program (HBCU-UP) of the National Science Foundation, Emerging Researchers National Conference in Science, Technology, Engineering and Mathematics, the University of Florida's Institute for African-American Mentoring in Computing Sciences, the Hispanic Association of Colleges and Universities, the National Indian Education Association, and other institutions, organizations, or associations as the Secretary of Transportation determines to be useful in investigating the feasibility of developing programs for fellowships, work-study, and employment opportunities for undergraduate and graduate students.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1145

Ms. JACKSON LEE. Mr. Chair, my appreciation to all of those who are on the floor today.

My amendment speaks to discussions that this Congress has had over many, many years on the question of science, technology, engineering, and math and, in particular, working with more vulnerable communities.

My amendment would facilitate the participation of HBCUs, Hispanic Serving Institutions, National Indian Institutions, in fellowships, work-study, and employment opportunities in the emerging commercial space industry.

I remember some years ago that we developed a fellowship for graduate and Ph.D. candidates at Texas Southern University to interact at NASA Johnson. It was a very effective effort, and certainly, well-received by those who were able to participate.

That is, again, investing in universities and colleges that interact, again, with vulnerable populations or do outreach to minority students and expose them, again, at graduate level and undergraduate level to science, technology, engineering, and math.

For over two decades the Nation has known that the economy will be driven, not by the hammer and anvil, but by the ingenuity and hard work of our Nation. Therefore, the imagination that fuels invention is so valuable to the well-being of our Nation.

My amendment would follow in that spirit by increasing awareness among underrepresented groups in STEM employment and education opportunities and, I would hope, would create partnerships between the commercial space industry and our HBCUs, our Native American Institutions, Hispanic Serving, and allow work-study and employment opportunities in this growing and emerging commercial space industry.

I believe it would be an excellent partnership and would be an excellent contribution to the economic engine of this Nation. I ask my colleagues to support the Jackson Lee amendment.

Ms. JACKSON LEE. Mr. Chair, Article 1 Section 8 of the United States Constitution states that "The Congress shall have Power to promote the Progress of Science and useful Arts . . ."

Too often the interpretation of these words are only about patents and inventions, but it extends to our nation's federal investment in areas of science that open up new avenues for economic and technological advancements.

I thank Chairman SMITH and Ranking Member JOHNSON for their work to advance the scientific horizon of our nation.

Jackson Lee Amendment Number 6, made in order by the Rules Committee, would facilitate the participation of HBCU, Hispanic Serving Institutions; National Indian institutions, in fellowships, work-study and employment opportunities in the emerging commercial space industry.

For over 2 decades the nation has known that the economy will be driven by the hammer and the anvil, but by the ingenuity and hard work of our nation's people.

The imagination that fuels invention—is so valuable to the wellbeing of our nation that the founders placed it as a key responsibility of the legislative branch.

My amendment would follow in this spirit by increasing awareness among underrepresented groups in STEM employment and education opportunities in the commercial space industry.

One of the most enduring difficulties faced by underrepresented populations in the STEM field is a lack of awareness and understanding of the connection between STEM and employment opportunities.

In 2012, a survey found that despite the nation's growing demand for more workers in science, technology, engineering, and math grows, the skills gap among the largest ethnic and racial minorities groups remain stubbornly wide.

Blacks and Latinos account for only 7 percent, of the STEM workforce despite representing 28 percent of the U.S. population.

All of our nation's citizens must be able to tap into, what has been described in the Brookings' Metropolitan Policy Program Report as, "The Hidden STEM Economy."

This report stated that in 2011, 26 million jobs or 20 percent of all occupations required knowledge in 1 or more STEM areas.

Half of all STEM jobs are available to workers without a 4 year degree, and these jobs pay on average $53,000 a year, which is 10 percent higher than jobs with similar education requirements.

Houston, Texas, the home of the Johnson Space Center, has the second highest concentration of engineers (22.4 for every 1000 workers according to the Greater Houston Partnership).

Houston has 59,070 engineers, the second largest population in the nation.

This Jackson Lee Amendment will open up an avenue to allow underrepresented groups in the STEM economy a means of learning about the commercial space industry through the development of fellowships, work study, and employment opportunities for undergraduate and graduate students.

I ask my colleagues to vote for the Jackson Lee Amendments.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment, though I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, this amendment requires the launch license streamlining report in the underlying bill to include recommendations on how the FAA might facilitate the participation of Historically Black Colleges and Universities, Hispanic Serving Institutions, and National Indian Institutions in the emerging commercial space industry. I don't object to this.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I would like to thank the gentleman for his support for both of my amendments. And I, again, would indicate that every opportunity we have to grow the economy and expand to those populations not fully included, this Congress should take an opportunity to do.

I see, in this amendment, opportunity for jobs, for partnerships, and certainly opportunities for growing the engineers and other talented persons whom we need for, in essence, a new America with a new economy, technologically-based.

I ask my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114–127.

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "U.S. Commercial Space Launch Competitiveness Act".

SEC. 2. REFERENCES TO TITLE 51, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.

SEC. 3. LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

(b) IMPLEMENTATION.—Not later than September 30, 2015, the Secretary of Transportation, in consultation with the commercial space sector and insurance providers, shall—

(1) evaluate and, if necessary, develop a plan to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code;

(2) in evaluating or developing a plan under paragraph (1)—

(A) ensure that the Federal Government is not exposed to greater costs than intended and that launch companies are not required to purchase more insurance coverage than necessary; and

(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and

(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 4. LAUNCH LIABILITY EXTENSION.

Section 50915(f) is amended by striking "December 31, 2016" and inserting "December 31, 2020".

SEC. 5. COMMERCIAL SPACE LAUNCH LICENSING AND EXPERIMENTAL PERMITS.

Section 50906 is amended—

(1) in subsection (d), by striking ''launched or reentered'' and inserting ''launched or reentered under that permit'';

(2) by amending subsection (d)(1) to read as follows:

''(1) research and development to test design concepts, equipment, or operating techniques;'';

(3) in subsection (d)(3) by striking ''prior to obtaining a license'';

(4) in subsection (e)(1) by striking ''suborbital rocket design'' and inserting ''suborbital rocket or suborbital rocket design''; and

(5) by amending subsection (g) to read as follows:

''(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.''.

SEC. 6. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints.

SEC. 7. SPACE AUTHORITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;

(2) identify appropriate oversight authorities for the activities described in paragraph (1);

(3) recommend an oversight approach that would prioritize safety, utilize existing authorities, minimize burdens, promote the U.S. commercial space sector, and meet the United States' obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the assessment and recommended approaches.

(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

SEC. 8. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 9. EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

(a) EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.—Section 50905(c)(3) is amended by striking ''Beginning on October 1, 2015'' and inserting ''Beginning on October 1, 2020''.

(b) CONSTRUCTION.—Section 50905(c) is amended by adding at the end the following:

''(5) Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches with the commercial space sector, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, prior to the issuance of a notice of proposed rulemaking.''.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representative a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a regulatory approach under section 50905(c)(3) of title 51, United States Code, that considers space flight participant, government astronaut, and crew safety.

(d) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in subsections (c) and (d) of section 50905 of title 51, United States Code, most appropriate for regulatory action, if any, and a proposed transition plan for such regulations.

SEC. 10. INDUSTRY VOLUNTARY CONSENSUS STANDARDS.

(a) INDUSTRY VOLUNTARY CONSENSUS STANDARDS.—Section 50905(c), as amended in section 9 of this Act, is further amended by adding at the end the following:

''(6) The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, to facilitate the development of voluntary consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as the commercial space sector continues to mature.''.

(b) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing progress on the development of industry voluntary consensus standards under section 50905(c)(6) of title 51, United States Code.

SEC. 11. GOVERNMENT ASTRONAUTS.

(a) FINDINGS AND PURPOSE.—Section 50901(15) is amended by inserting '', government astronauts,'' after ''crew'' each place it appears.

(b) DEFINITION OF GOVERNMENT ASTRONAUT.—Section 50902 is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (7) through (25), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) '*government astronaut*' means an individual who—

''(A) is either—

''(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or

''(ii) an international partner astronaut;

''(B) is identified by the Administrator of the National Aeronautics and Space Administration;

''(C) is carried within a launch vehicle or reentry vehicle; and

''(D) may perform or may not perform activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.

''(5) 'international partner astronaut' means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.

''(6) 'International Space Station Intergovernmental Agreement' means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).''.

(c) DEFINITION OF LAUNCH.—Paragraph (7) of section 50902, as redesignated, is amended by striking ''and any payload, crew, or space flight participant'' and inserting ''and any payload or human being''.

(d) DEFINITION OF LAUNCH SERVICES.—Paragraph (9) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant''.

(e) DEFINITION OF REENTER AND REENTRY.—Paragraph (16) of section 50902, as redesignated, is amended by striking ''and its payload, crew, or space flight participants, if any,'' and inserting ''and its payload or human beings, if any,''.

(f) DEFINITION OF REENTRY SERVICES.—Paragraph (17) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant, if any,'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant, if any,''.

(g) DEFINITION OF SPACE FLIGHT PARTICIPANT.—Paragraph (20) of section 50902, as redesignated, is amended to read as follows:

''(20) 'space flight participant' means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.''.

(h) DEFINITION OF THIRD PARTY.—Paragraph (24)(E) of section 50902, as redesignated, is amended by inserting '', government astronauts,'' after ''crew''.

(i) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) is amended by striking ''activities involving crew or space flight participants'' and inserting ''activities involving crew, government astronauts, or space flight participants''.

(j) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 is amended—

(1) in subsection (a)(2), by striking ''crews and space flight participants'' and inserting ''crew, government astronauts, and space flight participants'';

(2) in subsection (b)(2)(D), by striking ''crew or space flight participants'' and inserting ''crew, government astronauts, or space flight participants''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''crew and space flight participants'' and inserting ''crew, government astronauts, and space flight participants''; and

(B) in paragraph (2), by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.

(k) MONITORING ACTIVITIES.—Section 50907(a) is amended by striking ''crew or space flight participant training'' and inserting ''crew, government astronaut, or space flight participant training''.

(l) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) is amended by striking ''to crew or space flight participants'' each place it appears and inserting ''to any human being''.

(m) ENFORCEMENT AND PENALTY.—Section 50917(b)(1)(D)(i) is amended by striking ''crew or space flight participant training site,'' and inserting ''crew, government astronaut, or space flight participant training site,''.

(n) RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.—Section 50919(g) is amended to read as follows:

''(g) NONAPPLICATION.—

''(1) IN GENERAL.—This chapter does not apply to—

''(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

''(B) planning or policies related to the launch, reentry, operation, or activity under subparagraph (A).

''(2) RULE OF CONSTRUCTION.—The following activities are not space activities the Government carries out for the Government under paragraph (1):

''(A) A government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.

''(B) A government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.''.

(o) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to modify or affect any law relating to astronauts.

SEC. 12. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and

(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 13. OPERATION AND UTILIZATION OF THE ISS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) maximum utilization of partnerships, scientific research, commercial applications, and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and

(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station's projected capability to continue providing effective and productive research and exploration test bed capabilities.

(b) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—

(1) MAINTAINING USE THROUGH AT LEAST 2024.—Section 70907 is amended to read as follows:

''§ 70907. Maintaining use through at least 2024

''(a) POLICY.—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.

''(b) NASA ACTIONS.—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent practicable, that the International Space Station, as a designated national laboratory—

''(1) remains viable as an element of overall exploration and partnership strategies and approaches;

''(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and

''(3) remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least September 30, 2024.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:

''70907. Maintaining use through at least 2024.''.

The Acting CHAIR. Pursuant to House Resolution 273, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering this substitute amendment because I think we have a unique opportunity this week to pass bipartisan commercial space legislation that actually stands a chance of becoming law. That is what we need to focus on this morning.

The choice before us is really quite straightforward. We can spend the morning, as we have, fighting over the provisions of H.R. 2262, several of which were opposed by all of the Democratic members of the Science, Space, and Technology Committee when its provisions were marked up just last week. And when we are done, Members can

vote, largely on party lines, to pass the bill.

But to what end, Mr. Chairman?

The Senate has already made it clear that H.R. 2262 has the proverbial snowball's chance of being adopted by the Senate.

Pursuing House legislation, House passage of a bill that is going nowhere in the Senate seems to me to be the ultimate exercise in futility, and one that does a real disservice to the commercial space launch industry that all of us are trying to help succeed. But we don't have to go down that path.

My amendment would replace the underlying text of H.R. 2262 with provisions of the bipartisan Senate commercial space bill, the one that was marked up in committee just yesterday.

Let me repeat that. The language in the substitute amendment, in my amendment, already has garnered bipartisan support in the Senate. It is language that is cosponsored by Senators TED CRUZ, BILL NELSON, CORY GARDNER, and GARY PETERS, which is not something you can say about many other bills that we consider in the House.

Now, the Senate bill doesn't have everything I would like to see in a commercial space bill. I am sure that is the same for my Republican colleagues and for some in the industry. That is actually how legislation is made.

However, it has a core set of provisions that I think we and the industry can support, and that is what good compromises are all about.

The amendment addresses key issues facing the industry. It extends the ''learning period'' for another 5 years. It extends third-party liability and indemnification of the entire regime for another 4 years.

It provides commercial space launch licensing and experimental permit flexibility. It provides a NASA-sought definition of ''Government Astronaut'' and provides a path for streamlining commercial space launch activities.

The Senate provisions also provide for a review of issues related to commercial activities in space, as well as matters related to space situational awareness data.

They provide encouragement for the FAA and the industry to work together to facilitate the development of voluntary consensus standards, and they also ensure the International Space Station can remain a viable and productive facility through 2024.

Mr. Chairman, that is what my amendment does. It doesn't give the commercial space industry anything or everything that some in the industry might want.

But I would remind colleagues that the Senate bill has been endorsed by the Commercial Spaceflight Federation, the National Space Society, Students for Exploration and Development of Space, SpaceX, Blue Origin, and Virgin Galactic, among others. That is the Senate bill. That is the substitute that is being offered.

So Members today can feel perfectly comfortable that my amendment is one that the commercial space industry believes meets its legitimate needs.

Mr. Chairman, as I said in the beginning of my remarks, we have a clear choice today. We can maintain a counterproductive, partisan divide and hold out for provisions that won't move this legislation even 1 inch closer to becoming law.

Or we can step back, take a deep breath, and embrace the bipartisan compromise that our colleagues in the Senate have worked out. They have handed us a golden opportunity to move past partisan posturing and actually deliver legislation that can meet the needs of the commercial space industry and be enacted into law.

Mr. Chairman, House Democrats support the provisions of my amendment. Democrats and Republicans in the Senate support the provisions of my amendment.

If my Republican colleagues here today in the House can join us in supporting this substitute amendment, the provisions in the amendment, we can pass bipartisan legislation that could be on its way to the President for enactment in a matter of weeks.

I can think of no better way to end this week, and I urge Members to vote ''yes'' on the amendment in the nature of a substitute.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

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

This amendment seeks to strike and replace the entire underlying bill with Senate legislation which differs with the House bill in many respects.

The Senate bill, S. 1297, is a work product of the Senate. It has not been negotiated with any Member of this Chamber. In fact, the Senate just marked up the bill yesterday. This amendment abdicates the House's legislative responsibilities to the Senate.

The SPACE Act paves the way for the next generation of explorers and innovators. This amendment prevents the House from providing any direction for the future of space exploration.

We must consider what we will forfeit if we accept this amendment. The amendment significantly shortens the extension of the regulatory learning period and the extension of the indemnification regime.

These changes reduce certainty in the commercial launch market and could threaten the jobs of thousands of Americans. These are hard-working men and women who depend on the extension of these laws for their jobs. They count on us to provide some certainty for their industry.

This amendment strikes all of the commonsense transparency provisions in the SPACE Act and significantly shortens the extension of the learning period. This extension is essential to the health of the commercial space industry.

Also, this amendment includes a significant reduction to the regulatory flexibility provided in the underlying bill. The underlying bill requires assessments from the FAA on the growth of the industry, constructive interactions between stakeholders and the FAA, a glide path to a safety framework that enables and encourages innovations, and improvements in safety.

These are all part of a development structure that combines lessons learned from the industry with the inherent government function to protect the public.

The underlying bill preserves FAA's ability to regulate commercial human spaceflight in order to protect national security, public health, and safety. It also preserves FAA's existing authorities to regulate spaceflight participant and crew safety.

This amendment does not include any comparable benchmarking tools for Congress to monitor the growth of the industry. The amendment removes the ability of stakeholders to work with the FAA to develop safety standards that will improve the industry as a whole.

The amendment will have a chilling effect on the industry and put stakeholders on the defense against an onslaught of government intervention and possible lawsuits. This does not support a dynamic space economy or encourage innovation.

This amendment assumes that the commercial space industry has not placed a priority on safety. It is unfortunate that the minority looks at the American entrepreneurial spirit in this way.

Under the Senate bill, spaceflight participants would be exposed to significant financial risk and liability. This amendment strikes the vital provisions of the underlying bill which help ensure that human spaceflight is available to anyone who wants to participate.

The minority talks a lot about safety. I appreciate that. I think everyone involved in the space industry places a high priority on these endeavors being as safe as possible. I just wish the minority had a higher opinion of the scientists, engineers, and technicians building these systems.

Let's be clear. Space is inherently risky. America's memory is imprinted with tragic events such as the Apollo 1 fire, Challenger, and Columbia. The appropriate way to improve safety systems and reduce risk is to test, launch, learn, study, and repeat.

The entire space industry is behind this bill.

I do not oppose the gentlewoman's amendment simply because the Senate bill has no good qualities. I oppose the gentlewoman's amendment because it would abdicate the responsibilities of the House.

I urge my colleagues to oppose the amendment and not turn their backs on so many space companies.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 5½ minutes remaining.

Ms. EDWARDS. Mr. Chair, I yield 4 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to thank the gentlewoman.

I rise in strong support of Ms. EDWARDS' amendment. This amendment offers the possibility of actually accomplishing something worthwhile today and is an amendment that should garner bipartisan support.

Just last week, the Science, Space, and Technology Committee reported out H.R. 2262 and H.R. 1508 on party-line votes. Of course, we had moved to markup without any hearings on commercial space issues in the 114th Congress, nor a legislative hearing on either bill, nor a subcommittee markup. It is, thus, not surprising that they could not garner any significant bipartisan support for these bills.

And yet, now here we are on the floor, with these same bills. If we take the same path we took in yesterday's consideration of the COMPETES legislation, we will get a similar result, a partisan vote, and a bill that will never become law.

Ms. EDWARDS offers us another way forward. Just yesterday, the Senate Commerce Committee favorably reported out S. 1297, the Senate's bipartisan commercial space bill, a bill introduced by Senators TED CRUZ and BILL NELSON.

□ 1200

As I said, it is a bipartisan bill that was endorsed by a large segment of the commercial space industry when it was introduced. The gentlewoman from Maryland's (Ms. EDWARDS) amendment simply incorporates provisions of S. 1297 into her amendment.

Mr. Chairman, instead of engaging in a meaningful exercise, we could vote today to approve bipartisan legislation that Senate Democrats and Republicans are supporting.

While the Senate bill is not the bill I would have written, it is a vast improvement over the bill we have before us today.

As the gentleman said earlier, America is exceptional. And that is why we have a Congress. That is why we have committee structure. That is why we have subcommittees that examine issues and listen to witnesses. That is why we have committee work. It provides really a means for us to come together.

The bill that is in the Senate provides constructive updates to the Commercial Space Launch Act.

I know that some Members want to go further than the Senate bill in some areas, but the reality is, there is no bipartisan consensus to doing so. And if we proceed to pass H.R. 2262, we will have passed a bill that the Senate probably will not take up. We did that with the COMPETES bill yesterday. Do we really want to continue to waste our time in the same way again this morning?

Holding out hope that somehow these contentious provisions will find favor in a House-Senate conference is also an exercise in futility. Time is not on our side in dealing with the two expiring authorities in this bill, and we know from experience that Congress can act to extend them without passing a commercial space bill.

I think that outcome would be unfortunate, but I see little likelihood that the Senate will do anything with H.R. 2262 in its current form. And in a conference, I think that House Democrats will be disinclined to support provisions that we are opposing today.

Ms. EDWARDS' amendment offers us an opportunity to avoid months of pointless back-and-forth between the two Chambers. We can pass legislation that we already know has bipartisan support in the Senate, and if we do, we can look forward to seeing a bill head to the President's desk within weeks. All it takes is my Republican colleagues being willing to forgo the temptation to posture for that last extra bit of advantage and, instead, accept a reasonable compromise bill that will do much to meet the legitimate needs of the commercial space launch industry.

Mr. SMITH of Texas. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is a member of the Science, Space, and Technology Committee and is also the chairman of the Environment Subcommittee.

Mr. BRIDENSTINE. I thank the chairman of the Science Committee for yielding and for his strong leadership on working this bill through regular order so that all of the amendments that we have made, all the Members have had their voices heard in this bill.

Mr. Chairman, I rise to oppose the amendment of the gentlewoman from Maryland.

The language she is proposing to insert into our House bill is authored by Senator CRUZ of Texas, and it does have bipartisan support with Senator NELSON of Florida. But there are provisions that we got included because of the open process that we went through that are not included in that bill.

I would like to just run through a few of those that I, myself, got included into this bill, starting with section 110, which was an amendment I offered at markup that will require a GAO report to capture the role of space support vehicles—training vehicles, if you will—in the commercial space industry; regulatory and statutory barriers to the services these vehicles offer and recommendations for updates that will address these barriers. This is critically important in my neck of the woods. In the State of Oklahoma, we have a spaceport at Burns Flat. There are businesses there that are very interested in doing training for commercial crew and commercial spaceflight participants.

This was a provision of the bill that went through an open process. It was an amendment that was accepted in a very bipartisan way. And I am hopeful that when the full bill gets to the floor, it also will be accepted in a bipartisan way.

Additionally, title III of this bill incorporates H.R. 2261, the Commercial Remote Sensing Act, which was also bipartisan legislation that I introduced with my friend from Colorado (Mr. PERLMUTTER). This title sets metrics to give Congress a full picture of the workload facing the Department of Commerce when licensing remote sensing activities and what issues are preventing them from meeting statutory deadlines.

Title III also recognizes the importance of seeking input from the Advisory Committee for Commercial Remote Sensing, which is largely made up of private sector representatives. This legislation will be crucial as industry expands beyond traditional remote sensing satellites and activities and as Congress looks to update the statutes governing these activities for the first time since the 1990s.

My case for this being bipartisan is that I worked very hard with the other side on the amendments that I ultimately got into this bill. There were some amendments that maybe were not as bipartisan. But I would attest that there is support on the other side of the aisle for a lot of the provisions that we got into this bill.

I look forward to taking a vote on this bill. I oppose the amendment in the nature of a substitute. I encourage all my colleagues to pass the bill that went through regular order in the House of Representatives. I hear a lot of people talking about regular order. This was a very open process. Everybody had their voice heard. I encourage passage of the bill but not passage of the amendment in the nature of a substitute.

Ms. EDWARDS. Mr. Chairman, as I have said before, we have offered my amendment in the nature of a substitute because we are interested not just in making speeches here on the House floor, but we are interested in passing law and good policy that will be signed by the President, that will set the commercial space industry onto a pathway of continued innovation and success.

As has been described, the Senate yesterday, out of committee, marked up a bill that is bipartisan in nature. And because of the negotiations, there are not going to be any changes.

We want to make law for the industry, and we believe that this amendment in the nature of a substitute is good policy. I urge a ''yes'' vote on the amendment.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I urge my colleagues to oppose this substitute amendment and to support the underlying bill, which has significant improvements to the Senate bill, and that is why we should pass it.

I will now enter into the RECORD an exchange of letters between the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology regarding H.R. 2262.

MAY 18, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: I write concerning H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 2262, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

MAY 18, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Transportation and Infrastructure's jurisdictional interest in H.R. 2262, the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.''

I agree that the Committee on Transportation and Infrastructure has valid jurisdictional interests in matters pertaining to the Federal Aviation Administration and the National Transportation Safety Board, and that your Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 2262. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation, if in your jurisdiction, should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 23, as follows:

[Roll No. 261]

AYES—173

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—236

Abraham
Aderholt
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lieu, Ted
LoBiondo
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Allen
Bera
Beyer
Blackburn
Brat
Butterfield
Capps
Carter (GA)
Chaffetz
Clay
Cleaver
Conyers
Crawford
Davis, Danny
Donovan
Lewis
Moulton
Nadler
Napolitano
Noem
Rush
Smith (WA)
Tsongas

□ 1233

Messrs. GROTHMAN and TED LIEU of California changed their vote from ''aye'' to ''no.''

Messrs. MASSIE, JONES, Ms. KUSTER, Messrs. DOGGETT and GENE GREEN of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LEWIS. Mr. Chair, on rollcall No. 261, had I been present, I would have voted "yes."

Mrs. NAPOLITANO. Mr. Chair, on Thursday, May 21, 2015, I was absent during rollcall vote No. 261. Had I been present, I would have voted "aye" on the Edwards Amendment to H.R. 2262, Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.

Stated against:

Mr. ALLEN. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. BRAT. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. CARTER of Georgia. Mr. Chair, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "nay."

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BLACK) having assumed the chair, Mr. STEWART, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes, and, pursuant to House Resolution 273, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SMITH of Texas. Madam 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, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on adoption of House Resolution 274.

The vote was taken by electronic device, and there were—yeas 284, nays 133, not voting 15, as follows:

[Roll No. 262]

YEAS—284

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Cárdenas
Carney
Carter (GA)
Carter (TX)
Castro (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lieu, Ted
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Nolan
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—133

Adams
Amash
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Butterfield
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Connolly
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Grijalva
Gutiérrez
Hastings
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Loebsack
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Neal
Norcross
Pallone
Pascrell
Payne
Pelosi
Pingree
Pocan
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Speier
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bera
Blackburn
Capps
Chaffetz
Clay
Cleaver
Conyers
Crawford
Davis, Danny
Donovan
Nadler
Napolitano
Noem
Smith (WA)
Tsongas

□ 1243

Mr. MOULTON changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, May 21st, 2015, I was absent during rollcall vote No. 262. Had I been present, I would have voted "nay" on passage of H.R. 2262, Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015.

PROVIDING FOR CONSIDERATION OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 174, not voting 21, as follows:

[Roll No. 263]

YEAS—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)