

I want to begin by thanking Members for their bipartisan support of this legislation.

H.R. 6586 is a very simple bill. It extends for 2 years a commercial space transportation risk-sharing and liability regime that was established by Congress in 1988 with passage and enactment of the Commercial Space Launch Act Amendments. The structure of the liability regime is modeled on the Price-Anderson Act that governs risk-sharing for the nuclear power industry.

There are several features of the Commercial Space Launch Act Amendments, but one that is central to today's debate is indemnifying commercial launch and reentry operators against catastrophic losses suffered by the uninvolved public, or "third parties."

Since 1988, the Office of Commercial Space Transportation has licensed more than 200 commercial space launches and three reentries without any claims for Federal coverage for loss of life, serious injury, or significant property claims. The 1988 Act was driven in part by the emergence of foreign launch services companies that were made competitive through government subsidies and preferential foreign national laws, including indemnification.

Foreign launch companies continue to be formidable competitors. If this program were allowed to lapse, it would threaten our domestic market for launches, as the cost of insurance would significantly increase.

The Office of Commercial Space Transportation, as part of its licensing and permitting mission, administers financial responsibility and risk-sharing requirements for commercial launch and reentry operators. They calculate the required amount of financial responsibility based on the maximum probable loss of the license applicant's proposed launch or reentry. In the event there is a catastrophic accident, the operator's insurance coverage would be first in line. The government's liability would then cover excess claims above the insured amounts, but not to exceed \$2.7 billion. And I also want to note that to trigger Federal indemnification, the administration must submit a request to Congress for claims in excess of insurance coverage, and Congress must, in turn, pass a separate appropriation bill to fund the request. Responsibility for any claims above the Federal cap would revert to the launch or reentry operator.

The Space and Aeronautics Subcommittee held two hearings this Congress examining the activities of the Office of Commercial Space Transportation and the performance of its licensing and indemnification regime. Administration and industry witnesses provided compelling evidence that indemnification for third-party claims is needed to preserve the U.S. commercial launch market. I want to reiterate that the Federal Government's exposure is

only for third-party claims and only for amounts that exceed the maximum probable loss determined by the Office of Commercial Space Transportation.

Mr. Speaker, our commercial space launch industry needs this extension. While there are only a small number of commercial launches occurring today from domestic spaceports, this is about to change.

First, NASA relies on commercial providers to carry cargo, and eventually crew, to and from the international space station. SpaceX has already flown its first mission to ISS earlier this fall, and together with Orbital Sciences Corporation, these two companies are under contract to complete 20 cargo missions before the end of 2016.

Secondly, commercial manned spaceflights—orbital and suborbital—will require indemnification in order to launch from U.S. spaceports. While it's not clear when these types of services will begin, just like today's commercial communications satellite customers, launch customers will rely on an indemnification regime for third-party claims, or the business is at risk of going offshore.

I urge all Members to support this legislation, and I reserve the balance of my time.

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

I rise in support of H.R. 6586, to extend the application of certain space launch liability provisions through 2014.

First established by Congress as part of the Commercial Space Launch Act Amendments of 1988, the commercial space transportation risk-sharing liability and insurance regime is a vital program for the commercial space industry and has been extended five times since its original enactment.

The current extension expires on December 31 of this year, so it is important for Congress to act now so that there is sufficient time for this legislation to make its way to the President before the current authority expires.

Under the current three-tier regime, commercial space launch providers are required to purchase third-party liability insurance to compensate for maximum probable losses from third-party claims up to a level of \$500 million. For claims above those maximum probable losses, the U.S. Government may pay successful liability claims up to \$1.5 billion above that insured level subject to funds being appropriated by Congress for that purpose. Finally, for successful claims above the government indemnification, the launch providers assume responsibility for payment.

This risk-sharing regime has been vitally important for the development of a commercial space launch industry in the United States. Moreover, to date, the regime has not cost the U.S. Government a penny in third-party claims.

However, I would be remiss if I did not note some concerns about the program in its current form. Congress has

not updated the program since its inception in 1988. This has resulted in an increased liability exposure for the U.S. taxpayer, and that exposure grows every year. I am concerned that taxpayer liability exposure is growing at the same time the industry and its associated insurance market is maturing. One would tend to think that the opposite should be the case. I hope that we can begin to address these issues before the next extension is necessary in 2014.

I want to thank Chairman HALL and Subcommittee Chairman PALAZZO for working with us on this bill, and I reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 3 minutes to the gentleman from Texas, Chairman HALL of the Science, Space, and Technology Committee.

Mr. HALL. Mr. Speaker, I, of course, rise in support of H.R. 6586, to extend the application of certain space launch liability regimes.

Everybody is hoping that the House won't be divided, that we're all going to work together. This is a good chance to show them that we are all together on a good bill.

Commercial launch in the United States has a very enviable record. Our rockets are highly reliable, and SpaceX, which has flown two Falcon 9 rockets to the international space station and returned two payloads, is the first commercial company to successfully reenter payloads from space. And in the next 2 months, Orbital Sciences Corporation is scheduled to launch its new rocket that is designed to carry cargo to the space station.

No matter these successes, our industry faces serious pricing challenges from foreign operators. They are able to offer substantially cheaper launch costs because of industrial policy and less expensive labor costs. They also offer generous indemnification coverage. In a report released earlier this summer, the Government Accountability Office stated:

The United States provides less total third-party liability coverage than China, France, or Russia—the primary countries that have conducted commercial space launches in the last 5 years.

As Chairman Palazzo mentioned a few minutes ago, commercial launch activity in the United States is expected to pick up in the years to come: first through NASA's reliance on commercial launch companies to ferry cargo and astronauts to and from the international space station, and second, through the introduction of commercial human spaceflight services.

The bill before us would extend the indemnification regime for 2 years to December 31, 2014. It's important that we pass this bill to ensure that we do not jeopardize the ability of NASA to get cargo flights to the space station or inhibit our commercial launch operators' ability to compete for future payloads.

The Committee on Science, Space, and Technology will continue to monitor the activities of the Office of Commercial Space Transportation and the

evolving space launch market to ensure that the current risk-sharing and liability regime, including indemnification, is properly structured.

I thank Chairman PALAZZO of Mississippi and Ranking Member COSTELLO of Illinois for sponsoring and supporting this bill, and I urge all Members to support it as well.

Mr. COSTELLO. I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank the chairman for yielding.

First of all, I do want to thank the chairman of the Space Subcommittee, STEVE PALAZZO of Mississippi, for bringing this must-pass legislation to the floor today. I also want to thank my friend and colleague from Texas, RALPH HALL, the chairman of the Science Committee, and the professional staff of the committee for shepherding this bill and getting us to the point where we are now.

□ 1800

Last June, the Space and Aeronautics Subcommittee heard testimony on why government indemnification for commercial rocket launches must be extended. At that hearing, Frank Slazer from the Aerospace Industries Association said it best about why this indemnification is needed:

Many foreign launch providers competing against U.S. companies already benefit from generous indemnification rules. For example, the European company Arianespace is required to purchase insurance up to just 60 million Euros, roughly \$75 million. Any damages above this cap are the guaranteed responsibility of the French Government.

We cannot afford to drive away highly skilled technical jobs to foreign countries where the regulatory frameworks provide better critical risk management tools.

Lastly, a non-renewal could impede new U.S. entrants to the commercial launch market, discourage future space launch innovation and entrepreneurial investment. Without a level playing field for competition, new U.S. entrants could find it highly undesirable to begin their business ventures in the United States.

The FAA's launch indemnification authority has been in place for over 20 years, benefiting the American commercial space industry. The bill before us would extend indemnification for 2 more years, and I hope that we can address a longer-term legislative solution when addressing NASA reauthorization and commercial space legislation next year.

Mr. Speaker, I wanted to thank the chairman again for yielding me time.

Mr. COSTELLO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, first and foremost, I would like to thank Chairman HALL for the great leadership that he's provided to our committee, and also Mr. COSTELLO, who will be voluntarily leaving this body, and he has done such a fine job. Both of these gentlemen deserve acco-

lades for the wonderful job they've done for America's science and space programs, as well as for our country as a whole. So, thank you both very much.

I rise in support of H.R. 6586. It extends the commonsense limitations on liability exposure for commercial space launches.

A few years ago when I was the chairman of the Space and Aeronautics Subcommittee, the FAA was directed to provide an ongoing analysis of the rationale for and potential unintended consequences of this indemnification provision.

According to the analysis, the two options before us then were to extend this liability provision, which has never cost the American taxpayer a dime, or option number two—though unintended—would be to give a competitive advantage to China and other foreign launch providers. This, of course, is the same choice that we are making today. If we give foreign rocket companies such an advantage, then we are costing American jobs while undermining both our economy and our national security.

Back in 2004, I authored the current regulatory regime for human spaceflight, which has worked well beyond our expectations.

Recently, in cooperation with our majority whip, Mr. MCCARTHY, and my friends on both sides of the aisle, we extended that regime as the Science Committee's part of the recent FAA reauthorization bill. It would be very tempting to try to revisit that regulatory issue or some other provisions with this legislation.

So, I would like to thank Chairman PALAZZO for offering a bill that asks only the critical question before us: do we extend launch indemnification, or do we hand the launch industry completely over to foreign competitors?

The choice is clear. The answer is clear. America must remain the pre-eminent space-going Nation, which means we need to pass H.R. 6586, and I ask my colleagues to join me in supporting this legislation.

Mr. COSTELLO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I have no further requests for time, and if the gentleman is prepared to yield back, I am prepared to close.

Mr. COSTELLO. Mr. Speaker, we have no further speakers on our side.

I'd like to thank Chairman HALL for his services as chairman of the committee. He's a wonderful person. He has done a great job chairing the full committee, and he is one of the people that I'm going to miss the most here in this Congress, and my friend from California as well, and from Texas, and Chairman PALAZZO.

With that, Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Mississippi (Mr. PALAZZO) that the House suspend the rules and pass the bill, H.R. 6586.

The question was taken.

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

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

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 13, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 13, 2012 at 4:18 p.m.:

That the Senate passed without amendment H.R. 4114.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6156, RUSSIA AND MOLDOVA JACKSON-VANK REPEAL AND SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112-693) on the resolution (H. Res. 808) providing for consideration of the bill (H.R. 6156) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian

Federation with its obligations as a member of the World Trade Organization, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6371, by the yeas and nays;
H.R. 6586, de novo.

STREAMLINING CLAIMS PROCESSING FOR FEDERAL CONTRACTOR EMPLOYEES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6371) to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 361, nays 3, not voting 65, as follows:

[Roll No. 604]

YEAS—361

Ackerman	Burgess	Denham
Adams	Butterfield	Dent
Aderholt	Calvert	DesJarlais
Alexander	Camp	Deutch
Altmire	Canseco	Diaz-Balart
Amash	Cantor	Dicks
Amodei	Capuano	Dingell
Austria	Carney	Dold
Baca	Carson (IN)	Donnelly (IN)
Baldwin	Carter	Doyle
Barber	Cassidy	Dreier
Barletta	Castor (FL)	Duffy
Barrow	Chabot	Duncan (SC)
Barton (TX)	Chaffetz	Duncan (TN)
Bass (CA)	Chandler	Ellison
Bass (NH)	Chu	Ellmers
Benishek	Clarke (MI)	Emerson
Berg	Clyburn	Engel
Berkley	Coble	Eshoo
Berman	Coffman (CO)	Farenthold
Biggert	Cohen	Farr
Bilbray	Cole	Fattah
Bilirakis	Conaway	Fincher
Bishop (GA)	Connolly (VA)	Fitzpatrick
Bishop (NY)	Conyers	Flake
Bishop (UT)	Cooper	Fleischmann
Black	Costa	Fleming
Blackburn	Costello	Flores
Blumenauer	Courtney	Fortenberry
Bonamici	Crawaack	Foxx
Bonner	Crawford	Frank (MA)
Boswell	Crenshaw	Franks (AZ)
Boustany	Critz	Frelinghuysen
Brady (PA)	Crowley	Fudge
Bralley (IA)	Culberson	Garamendi
Brooks	Cummings	Gardner
Brown (FL)	Davis (CA)	Garrett
Buchanan	Davis (IL)	Gerlach
Bueshon	DeFazio	Gibbs
Buerkle	DeGette	Gibson

Gingrey (GA)	Luján	Roskam	Lipinski	Pallone	Shuler
Gohmert	Lummis	Ross (AR)	Lucas	Pelosi	Sires
Gonzalez	Lungren, Daniel	Ross (FL)	Lynch	Pence	Slaughter
Goodlatte	E.	Roybal-Allard	Mack	Platts	Tiberi
Gosar	Marchant	Royce	Maloney	Reed	Towns
Granger	Marino	Runyan	Manzullo	Rogers (AL)	Van Hollen
Graves (GA)	Matheson	Ryan (OH)	Markey	Rogers (MI)	Walsh (IL)
Graves (MO)	Matsui	Ryan (WI)	McGovern	Rothman (NJ)	Walz (MN)
Green, Al	McCarthy (CA)	Sanchez, Linda	Miller, George	Ruppersberger	Waters
Green, Gene	McCarthy (NY)	T.	Neal	Rush	
Griffin (AR)	McCaul	Sanchez, Loretta			
Griffith (VA)	McColum	Sarbanes			
Grijalva	McDermott	Scalise			
Grimm	McHenry	Schakowsky			
Guinta	McIntyre	Schiff			
Guthrie	McKeon	Schilling			
Hahn	McKinley	Schmidt			
Hall	McMorris	Schock			
Hanabusa	Rodgers	Schrader			
Hanna	McNerney	Schwartz			
Harper	Meehan	Schweikert			
Harris	Meeks	Scott (SC)			
Hartzler	Mica	Scott (VA)			
Hastings (FL)	Michaud	Scott, Austin			
Hastings (WA)	Miller (FL)	Scott, David			
Hayworth	Miller (MD)	Sensenbrenner			
Heck	Miller (NC)	Serrano			
Heinrich	Miller, Gary	Sessions			
Hensarling	Moore	Sewell			
Herger	Moran	Sherman			
Herrera Beutler	Mulvaney	Shimkus			
Higgins	Murphy (CT)	Shuster			
Himes	Murphy (PA)	Simpson			
Hinchey	Myrick	Smith (NE)			
Hinojosa	Nadler	Smith (NJ)			
Hirono	Napolitano	Smith (TX)			
Hochul	Neugebauer	Smith (WA)			
Holt	Noem	Southerland			
Honda	Nugent	Speier			
Huelskamp	Nunes	Stark			
Huizenga (MI)	Nunnelee	Stearns			
Hultgren	Olson	Stivers			
Hunter	Olver	Stutzman			
Hurt	Owens	Sullivan			
Issa	Palazzo	Sutton			
Jackson Lee	Pascarell	Terry			
(TX)	Pastor (AZ)	Thompson (CA)			
Jenkins	Paul	Thompsons (MS)			
Johnson (GA)	Paulsen	Thompson (PA)			
Johnson, E. B.	Pearce	Thornberry			
Johnson, Sam	Perlmutter	Tierney			
Jones	Peters	Tipton			
Jordan	Peterson	Tonko			
Kaptur	Petri	Tsongas			
Keating	Pingree (ME)	Turner (NY)			
Kelly	Pitts	Turner (OH)			
Kildee	Poe (TX)	Upton			
Kind	Polis	Velazquez			
King (IA)	Pompeo	Visclosky			
King (NY)	Posey	Walberg			
Kingston	Price (GA)	Walden			
Kinzinger (IL)	Price (NC)	Wasserman			
Kissell	Quayle	Schultz			
Kline	Quigley	Watt			
Kucinich	Rahall	Waxman			
Labrador	Rangel	Webster			
Lance	Rehberg	Welch			
Landry	Reichert	West			
Lankford	Renacci	Westmoreland			
Larsen (WA)	Reyes	Whitfield			
Latham	Ribble	Wilson (FL)			
LaTourette	Richardson	Wilson (SC)			
Latta	Richmond	Wittman			
Lee (CA)	Rigell	Wolf			
Levin	Rivera	Womack			
Lewis (CA)	Roby	Woodall			
LoBiondo	Roe (TN)	Woolsey			
LoBosack	Rogers (KY)	Yarmuth			
Lofgren, Zoe	Rohrabacher	Yoder			
Long	Rokita	Young (AK)			
Lowey	Rooney	Young (FL)			
Luetkemeyer	Ros-Lehtinen	Young (IN)			

NAYS—3

Broun (GA)	Campbell	McClintock
Akin	Carnahan	Gowdy
Andrews	Cicilline	Gutierrez
Bachmann	Clarke (NY)	Holden
Bachus	Clay	Hoyer
Bartlett	Cleaver	Israel
Becerra	Cuellar	Jackson (IL)
Bono Mack	DeLauro	Johnson (IL)
Boren	Doggett	Johnson (OH)
Brady (TX)	Edwards	Lamborn
Burton (IN)	Filner	Langevin
Capito	Forbes	Larson (CT)
Capps	Gallegly	Lewis (GA)

NOT VOTING—65

□ 1849

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 604, had I been present, I would have voted "yea."

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 604, had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall 604, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. LANGEVIN. Mr. Speaker, I was unavoidably detained on rollcall No. 604. Had I been present, I would have voted "yea."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for votes today. Had I been present, I would have voted "yea" on rollcall vote 604.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 8, 2012.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Mr. Christopher M. Thomas, Director of Elections, Department of State, State of Michigan, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable David Curson was elected Representative to Congress for the Eleventh Congressional District, State of Michigan.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

STATE OF MICHIGAN, RUTH JOHNSON,
SECRETARY OF STATE, DEPARTMENT OF STATE,

Lansing, MI, November 8, 2012.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol,
Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2012, to fill the existing vacancy for Representative in Congress from the Eleventh Congressional District of Michigan, show that David Curson