Mr. JEFFORDS. I ask unanimous consent that the Judicial Committee be discharged from further consideration of H.R. 2920, the House companion bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. I ask unanimous consent that the Senate proceed to its consideration of S. 1360, as amended, be inserted in lieu thereof. I further ask that the bill be read a third time and, passed, the motion to reconsider be laid upon the table, and any statements relating to this measure appear at the appropriate place in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2020), as amended, was considered read the third time and passed.

Mr. JEFFORDS. I finally ask unanimous consent that S. 1360 be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Steve Schiff Auditorium

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3731, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

A bill (H.R. 3731) to designate the auditorium located within the Sandia National Laboratories as the “Steve Schiff Auditorium.”

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JEFFORDS. Mr. President, it is a real honor today to support legislation, H.R. 3731, honoring Representative Steve Schiff. This legislation designates a special auditorium at the Sandia National Laboratories as the “Steve Schiff Auditorium.” Steve spoke in this Auditorium on several occasions, as part of his long service to the people of New Mexico.

Steve Schiff exemplified all that was good about public service: integrity of the highest order, deep and fundamental decency, and an acute and open mind. He went about his business quietly, but with wonderful efficiency. He was great at telling stories, usually about himself. He was a model for all politicians to admire.

Steve came to New Mexico from Chicago, where he was born and raised. He served the people of New Mexico in different capacities since 1972, when he graduated from the Law School at the University of New Mexico. Before election to Congress in 1986, he served as District Attorney for eight years.

One of Steve’s favorite local programs was his Tree Give-Away Program. For eight years, Steve held a Saturday tree give-away day at the Indian Pueblo Cultural Center. He gave away more than 115,000 trees. Through those trees, he shared his own hope, faith, and love. Those trees now flourish throughout the Albuquerque area in New Mexico as lasting symbols of Steve’s legislative achievements to continue to serve the American people as another reminder of this great American.

Along with those trees and his legislation, the Steve Schiff Auditorium will serve as a lasting memorial. I’m happy and honored to have been a part of his life.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the bill be considered read a third time, and passed, the motion to reconsider be laid upon the table, and that any Statements relating to the bill be placed at the appropriate place in the Record.

The PRESIDING OFFICER. The bill (H.R. 3731) was considered read the third time and passed.

Commercial Space Act of 1998

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of calendar No. 393, H.R. 1702.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

A bill (H.R. 1702) to encourage the development of a commercial space industry in the United States for commercial purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment strike all after the enacting clause and inserting in lieu thereof the following:

Section 1. Short Title; Table of Contents.

(a) Short Title.—This Act may be cited as the “Commercial Space Act of 1997.”

(b) Table of Contents.—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Title I—Promotion of Commercial Space Opportunities

Sec. 101. Commercialization of space station.

Sec. 102. Commercial space launch amendments.

Sec. 103. Promotion of United States Global Positioning System standards.

Sec. 104. Acceptance of United States space science data.

Sec. 105. Administration of Commercial Space Centers.

Title II—Remote Sensing


Sec. 202. Acquisition of earth science data.

Title III—Federal Acquisition of Space Transportation Services

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

Sec. 302. Acquisition of commercial space transportation services.

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

Sec. 304. Shuttle transportation.

Sec. 305. Use of excess intercontinental ballistic missiles.

Title IV—Authorization of Appropriations

Sec. 401. Authorization for most commercial space opportunities.

For purposes for this Act—

(a) Policy.—The Congress declares that a priority goal of constructing the International Space Station shall be to provide opportunities for the private sector to participate in the development and operation of the Station.

(b) Authorization.—The Congress hereby authorizes the expenditure of such sums as may be necessary to provide the opportunities described in subsection (a).
Space Station is the economic development of Earth orbital space. The Congress further declares that the use of free market principles in operating, servicing, and augumenting the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. The Administrator is advancing to encourage and facilitate these commercial opportunities; and

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

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

The Administrator shall deliver to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, within 60 days after the date of enactment of this Act, an independent, credible market study that examines and evaluates potential industry interest in providing commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station. This study shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.
(ii) by inserting "or reentry" after "launch or operation";
(9) in section 70109—
(A) by amending the section designation and heading to read as follows:
§70109. Preemption of scheduled launches or reentries;
(B) in subsection (a)—
(i) by inserting "or reentry" after "ensure that a launch";
(ii) by inserting ", reentry site," after "United States Government launch site";
(iii) by inserting "or reentry date commitment" after "launch date commitment";
(iv) by inserting "or reentry" after "obtained for a launch;"
(v) by inserting ", reentry site," after "access to a launch site;"
(vi) by inserting ", or services related to a reentry," after "amount for launch services"; and
(vii) by inserting "or reentry" after "the scheduled launch;"
(C) in subsection (c), by inserting "or reentry" after "prompt launching;"
(D) in section 70110—
(A) by inserting "or reentry" after "prevent the launch" in subsection (a)(2); and
(B) by inserting "or reentry site, or reentry of a reentry vehicle," after "operation of a launch site" in subsection (a)(3)(B); and
(E) in subsection (c), by inserting "or reentry services" after "launch services;" and
(F) by inserting after subsection (a)(2) the following new paragraph:
"(2) the Secretary shall establish uniform guidelines for, and consistent implementation of, this section by all Federal agencies;"
(11) in section 70111—
(A) by inserting "or reentry" after "launch" in subsection (a)(1A);
(B) by inserting ", reentry services" after "launch services" in subsection (a)(1B);
(C) by inserting "or reentry services" after "or launch services" in subsection (a)(12);
(D) by striking "source," in subsection (a)(2) and inserting "source, whether such source is located on or off a Federal range;"
(E) by inserting ", or reentry after "commercial launch" each place it appears in subsection (b)(1);
(F) by inserting "reentry services" after "launched services" in subsection (b)(2)(C);
(G) by inserting after subsection (b)(2) the following new paragraph:
"(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies;
(H) by striking "or its payload for launch" in subsection (b) and inserting in lieu thereof "or reentry vehicle, or the payload of either, for launch or reentry;" and
(I) by inserting ", reentry vehicle," after "manufacturer of the launch vehicle" in subsection (d);
(12) in section 70112—
(A) in subsection (a)(1), by inserting "launch or reentry" after "one launch;" and
(B) by inserting "or reentry" after "one launch" in subsection (a)(3); and
(C) by inserting "or reentry services" after "launch services" in subsection (a)(4); and
(D) in subsection (b)(1), by inserting "launch or reentry" after "(1) A;"
(E) by inserting "or reentry services" after "launch services" each place it appears in subsection (b);
(F) by inserting "applicable" after "carried out under the" in paragraphs (1) and (2) of subsections;
(G) by striking "Space, and Technology" in subsection (d)(1);
(H) by inserting "or reentries" after "launch;" in the heading for subsection (e); and
(I) in subsection (e), by inserting "or reentry site or a reentry" after "launch site;" and
(J) in subsection (f), by inserting "launch or reentry" after "one launch or under the".
(13) in section 70113—by inserting "or reentry" after "one launch" each place it appears in paragraphs (1) and (2) of subsection (d); and
(14) in subsection (e), by inserting ", reentry site," after "launch site;"; and
(b) by inserting "or reentry vehicle" after "launch vehicle" both places it appears;
(15) in section 70117—
(A) by inserting "or reentry site, or to reenter a reentry vehicle" after "operate a launch site" in subsection (a);
(B) by inserting "or reentry" after "approval of a space launch" in subsection (d); and
(C) by amending subsection (f) to read as follows:
"(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, payload, or other object launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports, except that payloads or other objects launched or reentered under international agreements that contain export controls for access to launch or reentry services as provided for under the Foreign Trade Zones Act (19 U.S.C. 81a–81u) shall be considered exports with regard to customs entry;" and
(D) in subsection (g)—
(i) by striking "operation of a launch vehicle or launch site," in paragraph (1) and inserting in lieu thereof "operation of a launch vehicle or reentry vehicle, or operation of a launch site or reentry site;"; and
(ii) by inserting "reentry," after "launch," in paragraph (2); and
(16) by adding at the end the following new paragraph:

§70120. Regulations

(a) IN GENERAL.—The Secretary of Transportation, within 9 months after the date of the enactment of this section, shall issue regulations to carry out this chapter that include—
(1) guidelines for industry and State governments to obtain sufficient insurance coverage for potential damages to third parties;
(2) procedures for requesting and obtaining licenses to launch a commercial launch vehicle;
(3) procedures for requesting and obtaining operator licenses for launch vehicles;
(4) procedures for requesting and obtaining launch site operator licenses; and
(5) procedures for the application of government indemnification.

(b) REENTRY.—The Secretary of Transportation, within 6 months after the date of the enactment of this section, shall issue a notice of proposed rulemaking to carry out this chapter that includes—
(1) procedures for requesting and obtaining licenses to reenter a reentry vehicle;
(2) procedures for requesting and obtaining operator licenses for reentry vehicle;
(3) procedures for requesting and obtaining operator licenses for reentry services; and
(4) procedures for requesting and obtaining reentry site operator licenses.

§70121. Report to Congress

The Secretary of Transportation shall submit to Congress an annual report to accompany the President’s budget request that—
(1) describes all activities undertaken under this chapter, including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that further commercial launches and reentries; and
(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation.

(b) AUTHORIZATIONS AND APPROPRIATIONS.—Section 70119 of title 49, United States Code, is amended to read as follows:

§70119. Authorizations of appropriations

There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—
(1) $16,000,000 for the fiscal year ending September 30, 1999;
(2) $6,275,000 for the fiscal year ending September 30, 1999; and
(3) $6,600,000 for the fiscal year ending September 30, 1999.

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

SEC. 102. PROMOTION OF UNITED STATES GLOBAL POSITIONING SYSTEM STANDARDS.

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

(b) NATIONAL COORDINATION.—In order to support and sustain the Global Positioning System in a manner that will most effectively contribute to the national security, public safety, scientific, and economic interests of the United States, the Congress encourages the President to—
(1) ensure the operation of the Global Positioning System on a continuous worldwide basis free of direct user fees;
(2) enter into international agreements that promote cooperation with foreign governments and international organizations to
(A) establish the Global Positioning System and its augmentations as an acceptable international standard; and
(B) eliminate any foreign barriers to applications of the Global Positioning System worldwide; and
(3) provide clear direction and adequate resources to the United States representatives so that on an international basis they can—
(A) achieve and sustain efficient management of the electromagnetic spectrum used by the Global Positioning System; and
(B) protect that spectrum from disruption and interference.

SEC. 104. ACQUISITION OF SPACE SCIENCE DATA.

(a) ACQUISITION OF SPACE SCIENCE DATA FROM COMMERCIAL PROVIDERS.—In order to satisfy the scientific and educational requirements of the National Aeronautics and Space Administration, and where practicable of other Federal agencies and scientific researchers, the Administrator shall to the maximum extent possible acquire, where cost effective, space science data from a commercial provider.

(b) TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space science data by the Administrator shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space science data shall be considered a commercial item for purposes of such laws and regulations. Nothing in this subsection shall be construed to preclude the United States from acquiring sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

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

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

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

SEC. 105. ADMINISTRATION OF COMMERCIAL SPACE CENTER.

The Administrator shall administer the Commercial Space Center program in a coordinated manner from National Aeronautics and Space
SEC. 201. LAND REMOTE SENSING POLICY ACT OF D.C.

JULY 30, 1998

1. FINDING. The Congress finds that—
(a) a robust domestic United States industry in high resolution Earth remote sensing is in the economic, employment, technological, scientific, and national security interests of the United States;
(b) to secure its national interests the United States must nurture a commercial remote sensing industry in the world;
(c) the Federal Government must provide policies and regulations that promote a stable business environment for that industry to succeed and fulfill the national interest;
(d) it is the responsibility of the Federal Government to create domestic and international conditions favorable to the health and growth of the United States commercial remote sensing industry;
(e) it is a fundamental goal of United States policy to support and enhance United States industrial competitiveness in the field of remote sensing, while at the same time protecting the national security concerns and international obligations of the United States; and
(f) it is fundamental that the states be able to deploy and utilize this technology in their land management responsibilities. To date, very few states have done so without engaging the academic institutions within their boundaries. In order to develop a market for the commercial sector, the states must have the capacity to fully utilize the technology.

(a) in section 201 (15 U.S.C. 5621)—
(1) by inserting paragraph (7); and
(2) by inserting paragraphs (8) through (15), respectively;
(b) in paragraph (11), as so redesignated by subparagraph (B) of paragraph (6) of section 204 (15 U.S.C. 5624), by striking the term "international consortium" and inserting in lieu thereof "ensuring the continuity of Landsat quality data"; and
(c) by adding at the end the following new paragraph:

"(6) The United States should encourage remote sensing systems to promote access to land remote sensing data by scientists for scientific and educational purposes.";

(17) It is in the best interest of the United States to encourage remote sensing systems whether privately-funded or publicly-funded, to provide widespread affordable access to enhanced land remote sensing data by scientists, researchers and educators and to allow such users appropriate rights for redistribution for scientific and educational noncommercial purposes.

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

4. TERMINATION, MODIFICATION, OR SUSPENSION. Not later than 30 days after an action by the Secretary to terminate, modify, or suspend a license or other judicial determination pursuant to section 202(b) or section 203(a)(2), the Secretary shall provide written notification to Congress of such action and the reasons therefor.

5. NOTIFICATION. The Federal Government shall not undertake activities under this section which duplicate activities available from the United States commercial sector, unless such activities would result in significant cost savings to the Federal Government, or are necessary for reasons of national security or international obligations or policies.

6. EXPLANATION OF LICENSEE. The Secretary of State is responsible for determining those conditions. The Secretary of Defense shall be responsible for determining those conditions affecting national security. The Secretary of Defense shall convey to the Secretary the determinations for a license issued under title II, consistent with this Act, that the Secretary of Defense determines necessary to meet the national security concerns of the United States.

7. RESPONSIBILITY OF THE SECRETARY OF DEFENSE. The Secretary shall consult with the Secretary of Defense on all matters under title II affecting national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this Act, necessary to meet national security concerns of the United States, and for notifying the Secretary promptly of any changes in such conditions. If the Secretary determines that the proposed actions would result in significant cost savings to the United States commercial sector, unless such activities would result in significant cost savings to the Federal Government, or are necessary for reasons of national security or international obligations or policies.

8. RESPONSIBILITY OF THE SECRETARY OF STATE. The Secretary shall consult with the Secretary of State on all matters under title II affecting international obligations and policies. The Secretary shall be responsible for determining those conditions, consistent with this Act, necessary to meet international obligations and policies of the United States and for notifying the Secretary promptly of any changes in such conditions. The Secretary of State shall convey to the Secretary the determinations for a license issued under title II, consistent with this Act, that the Secretary of State determines necessary to meet the international obligations and policies of the United States.

9. Appropriations. Appropriations are authorized to provide to developing nations, as a component of international aid, resources for purchasing remote sensing data, training, and analysis from United States providers. National Aeronautics and Space Administration, United States Geological Survey, and National Oceanic and Atmospheric
Administration should develop and implement a program to aid the transfer of remote sensing technology and Mission to Planet Earth (OES) science at the state level; and

(c) in section 204, by striking "Secretary may require" and inserting in lieu thereof "Secretary shall, where appropriate, require".

SEC. 202. ACQUISITION OF EARTH SCIENCE DATA.

(a) In general.—The Federal Government shall acquire remote sensing data, services, distribution, and applications from a commercial provider.

(b) TREATMENT AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of the Federal Government for remotely sensed data, services, distribution, and applications referred to in subsection (a) shall be carried out in accordance with applicable acquisition laws, in accordance with chapters 137 and 140 of title 10, United States Code, except that such data, services, distribution, and applications shall be considered to be a commercial item for purposes of such laws and regulations. Nothing in this section shall be construed to preclude the United States from acquiring sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

(c) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

SEC. 203. ACQUISITION OF COMMERCIAL SPACE TRANSPORTATION SERVICES.

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

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

SEC. 302. ACQUISITION OF COMMERCIAL SPACE TRANSPORTATION SERVICES.

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

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

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

The Launch Services Purchase Act of 1990 (42 U.S.C. 2405 et seq.) is amended—

(1) by striking subsection 202;

(2) in section 203—

(A) by striking paragraphs (3) and (2); and

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

(3) by striking sections 204 and 205; and

(4) in section 206—

(A) by striking "(a) COMMERCIAL PAYLOADS ON THE SPACE SHUTTLE —"; and

(B) by striking subsection (b).
Mr. JEFFORDS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 91, line 23, strike "(A);" and insert "(A)".

On page 92, line 18, insert "and" after the semicolon.

On page 92, line 24, strike "(E)" and insert "(D)".

On page 92, line 5, strike "(F)" and insert "(G)".

On page 92, beginning in line 6, strike "subsection (c)(2)(D),".

On page 92, line 12, strike "(i)" and insert "(ii)".

On page 92, line 13, strike, "(iii)" and insert "(ii)".

On page 92, line 15, strike "(iii)" and insert "(i)".

On page 92, line 17, strike "(iv)" and insert "(iii)".

On page 92, line 18, strike "clauses (i) through (iii)," and insert "subparagraphs (A) through (C),".

On page 92, line 19, strike "(G)" and insert "(D)".

On page 92, beginning in line 21, strike "launch sites in the United States cost-competitive on an international level," and insert "national ranges in the United States viable and competitive,".

Mr. Mack. Mr. President, the federal government should be encouraging private industry’s involvement and investment in space, not competing with it and in some cases, stifling it. I am afraid that if we do not act on and pass this amendment, we will continue to encourage American companies to move their operations overseas. Companies need consistent government policy that encourages the development of new technology through private investment. We should enable private companies to locate and conduct their business here at home.

This growing sector of the economy provides jobs to many highly-skilled and technically-trained workers. To put it into perspective, industry revenues have exceeded $7.5 billion. Commercial space businesses have grown faster than the economy and have been relatively recession proof.

Senator GRAHAM and I have proposed a number of balanced changes to current law. Among them, our amendment requires a study by NASA to identify commercial opportunities and interest in servicing the International Space Station. Second, we authorize the Office of Commercial Space Transportation to license commercial providers to reenter Earth’s atmosphere and return payloads to Earth. Currently, only the Federal Government is permitted to do so.

Third, we encourage the President to enter into regional agreements with foreign governments to secure the U.S. Global Positioning System as the world’s standard. Finally, we require the federal government to procure commercial space transportation services.

Space is a frontier for research and exploration. The Federal Government’s investments in space technology have provided the private sector with impressive capabilities that can benefit both our citizens and the economy. It is now the private sector’s challenge to make commercial space activities earn a profit. The role of the Federal Government should be to provide stable and supportive policies for these activities.

Mr. President, we are moving into the 21st century. However, the laws regulating this industry are decades old. It is critical that we update them. The Senate Commerce Committee reported this bill favorably on June 2, 1998, and the House passed a similar version on November 4, 1997. I hope we receive broad bipartisan support.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee substitute be agreed to, as amended, the bill be considered read a third time and passed, as amended, the motions to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3482) was agreed to.

The bill (H.R. 1702), as amended, was considered read the third time and passed.

Mr. GRAHAM. Mr. President, thank you for the opportunity to address the Senate on the passage of the “Commercial Space Act,” introduced by Senator MACK and myself in November 1997.
I am pleased this bill has passed today because it is critical in allowing United States launch companies to compete effectively in the growing commercial space race.

Having already passed the House by a large margin, the Commercial Space Act needed to be considered by the Senate. I was pleased to work with my colleagues to ensure the future of our nation’s high-tech economic frontier: commercial space.

I speak today as a Senator concerned about both our national security and our nation’s economic position. The United States cannot afford to descend into another “launch gap.” Our recent discussions over why U.S. satellites are being launched from China demands that the U.S. Senate act quickly to make the commercial launch environment in this country as progressive and productive as possible.

When the space race began with the launch of Sputnik in October 1957, America listened in anticipation and fear as the first first-made satellite—a Soviet satellite—beeped its way around the earth. In the two decades that followed, an aggressive U.S. space program, both civil and military, brought us back to a position where American citizens listened in indignation, we will allow commercial companies to raise capital, develop new space vehicles under commercial launch industry locked in a web of regulations and limitations.

I am proud to report that one thing our bill does not do is spend any new taxpayer dollars. As a policy bill, we are seeking to level the playing field without creating any new government programs. Our bill does require studies, but those studies will be accomplished using the existing resources of agencies involved and data that has already been collected.

For instance, our legislation would require the Department of Defense to conduct an inventory of its range assets and determine what, if any, deficiencies exist. Much of this information is already available through existing Defense Department reports. Armed with this information, we can convert our nation’s launch ranges back to the busiest space facilities in the world.

But this legislation does more than just refrain from new spending. It actually saves money by allowing the conversion of excess ballistic missiles into space transportation vehicles. Due to the START treaty, these missiles can no longer be used for their original intended purpose. Furthermore, they are extremely expensive to store or destroy.

By using these missiles as launch vehicles, the government will be able to conduct small satellites and educational payloads that cannot afford the larger and more expensive rocket systems. This is a legal and efficient way to dispose of an expensive asset. Our Russian counterparts have been firing their missiles as opposed to spending money to destroy them. We will implement one more practical step by firing them with a payload.

In closing, let me remind you of remarks made in the midst of the hotly contested space race. During one of his visits to Cape Canaveral, President Kennedy declared, “We choose to go the moon in this decade and do the other things, not because they are easy, but because they are hard.”

As we consider this bill, we should all ponder that quote. It is not easy for the federal government to change the way it has done business for many years. It is hard; it is a challenge, for forward-thinking people both in and out of the government. But it is what we must do to protect our investment in the nation’s economic future and our national pride. It is vital that we ensure our nation’s position in the commercial space race of the 21st century.

I thank the distinguished Chairman and Ranking Member of the Senate Commerce Committee Senator McCain and Senator Hollings, and the Chairmen of the Science, Technology, and Space subcommittees, Senator Frist for supporting this legislation and guiding it through the Senate process.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: 605, 616, 617, 618, 652, 709, 711, 716, 719, 720, 721, 722, 739, 740, 741, 742, 743, 744 through 778, 779, 780, and 781, and all the nominations on the Secretary’s desk in the Air Force, Army, Coast Guard, and Marine Corps and Navy.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at the appropriate place in the RECORD, the President be immediately notified of the Senate’s action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF LABOR

Raymond L. Bramucci, of New Jersey, to be an Assistant Secretary of Labor.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Thelma J. Askey, of Tennessee, to be a Member of the United States International Trade Commission for the remainder of the term expiring December 31, 2006.

Jennifer Anne Hillman, of Indiana, to be a Member of the United States International Trade Commission for the term expiring December 31, 2006.

Stephen Kaplan, of Virginia, to be a Member of the United States International Trade Commission for the term expiring December 31, 2006.