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Brewster
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Coleman (MO)
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Collins (IL)
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Cox (IL)
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de la Garza
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Dymally
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Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
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Fazio
Feighan
Fields
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Flake
Foglietta
Ford (MI)
Franks (CT)
Frost
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Geren
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Hall (TX)
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Hayes (IL)

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Hyde
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Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
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Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Klecza
Klug
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Lagomarsino
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LaRocco
Laughlin
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Lehman (CA)
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Levin (MI)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
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Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Mrazek
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
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Oberstar
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Orton
Owens (NY)
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Sikorski
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Staggers
Stallings
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)

Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torrice
Traficant
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Walker
Walsh
Washington
Waters
Waxman
Weiss
Wellon
Wheat
Whitten
Williams
Wise
Wolf
Wolpe
Wyden
Wyllie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—72

Ackerman
Annunzio
Anthony
Barnard
Bevill
Boxer
Broomfield
Bryant
Campbell (CA)
Clement
Coughlin
Cox (CA)
Davis
Dellums
Dickinson
Dorgan (ND)
Dwyer
Early
Edwards (OK)
Ewing
Ford (TN)
Frank (MA)
Gallegly
Gaydos
Gejdenson
Gordon
Green
Guarini
Hall (OH)
Hastert
Hatcher
Hertel
Horton
Ireland
Jefferson
Jones (GA)
Jones (NC)
Kolter
Lehman (FL)
Levine (CA)
Lewis (FL)
Luken
Martin
McCrery
McDade
McEwen
McMillan (NC)
McNulty
Morrison
Murphy
Murtha
Nowak
Obey
Owens (UT)
Pursell
Quillen
Rangel
Rohrabacher
Schulze
Shuster
Sisisky
Smith (FL)
Solarz
Stark
Townes
Traxler
Vander Jagt
Vucanovich
Weber
Wilson
Yates
Yatron

So the concurrent resolution was agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

198.27 ORDER OF BUSINESS—
CONSIDERATION OF CONFERENCE
REPORT AND AMENDMENTS IN
DISAGREEMENT—H.R. 5487

On motion of Mr. NATCHER, by unanimous consent,

Ordered, That it may be in order on Tuesday, August 11, 1992, to consider a conference report and amendments reported from conference in disagreement on the bill (H.R. 5487) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes; and

Ordered further, That the conference report, amendments in disagreement, and motions printed in the joint explanatory statement of the committee of conference to dispose of disagreements reported from conference be considered as read.

198.28 ORGANIZATION OF CONGRESS

On motion of Mr. MOAKLEY, by unanimous consent, the concurrent resolution (H. Con. Res. 192) to establish a Joint Committee on the Organization of Congress; together with the following Senate amendment, was taken from the Speaker's table:

Strike out all after resolving clause and insert:

SECTION 1. ESTABLISHMENT OF COMMITTEE.

(a) ESTABLISHMENT AND MEMBERSHIP.— There is established an ad hoc Joint Committee on the Organization of the Congress (referred to as the "Committee") to be composed of—

- (1) 12 members of the Senate—

(A) 6 to be appointed by the Majority Leader; and

(B) 6 to be appointed by the Minority Leader; and

(2) 12 members of the House of Representatives—

(A) 6 to be appointed by the Speaker; and

(B) 6 to be appointed by the Minority Leader.

On motion of Mr. MOAKLEY, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

198.29 COMMERCIAL SPACE
COMPETITIVENESS

On motion of Mr. HALL of Texas, by unanimous consent, the Committee on Armed Services was discharged from further consideration of the bill (H.R. 3848) to encourage the growth and development of commercial space activities in the United States, and for other purposes.

When said bill was considered and read twice.

Mr. HALL of Texas submitted the following amendment in the nature of a substitute, in lieu of the amendment recommended by the Committee on Science, Space, and Technology, which was agreed to:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Space Competitiveness Act of 1992".

TITLE I—GENERAL PROVISIONS

SEC. 101. FINDINGS.

The Congress finds that—

(1) commercial activities of the private sector have substantially contributed to the strength of both the United States space program and the national economy;

(2) a robust United States space transportation capability remains a vital cornerstone of the United States space program;

(3) the availability of commercial launch services is essential for the continued growth of the United States commercial space sector;

(4) a timely extension of the excess third party claims payment provisions of the Commercial Space Launch Act is appropriate and necessary to enable the private sector to continue covering maximum probable liability risks while protecting the private sector from uninsurable levels of liability which could hinder international competitiveness;

(5) greater Federal use of commercial launch services for suborbital launches would increase the efficiency of the United States space science program and improve the capabilities of the United States commercial launch industry;

(6) a program to demonstrate how the space science community can purchase launch services directly from the private sector has the potential to increase the efficiency of the United States space science program and improve the capabilities of the United States commercial launch industry;

(7) improvements and additions to the Nation's space transportation infrastructure contribute to a robust and cost effective space transportation capability for both public sector and private sector users;

(8) private sector use of available Government facilities on a reimbursable basis contributes to a stronger commercial space sector;

(9) the Federal Government should purchase space goods and services which are commercially available, or could be made available commercially in response to a Government procurement request, whenever such goods or services meet Government mission requirements in a cost effective manner;

(10) it is appropriate for the Government to act as an anchor tenant for commercial space development projects which have a reasonable potential to develop non-Federal markets and which meet Federal needs in a cost effective manner; and

(11) the provision of compensation to commercial providers of space goods and services for termination of contracts at the convenience of the Government assists in enabling the private sector to invest in space activities which are initially dependent on Government purchases.

SEC. 102. DEFINITIONS.

For the purposes of this Act—

(1) the term "Administrator" means the Administrator of the National Aeronautics and Space Administration;

(2) the term "agency" means an executive agency as defined by section 105 of title 5, United States Code;

(3) the term "anchor tenancy" means an arrangement in which the United States Government agrees to procure sufficient quantities of a commercial space product or service needed to meet Government mission requirements so that a commercial venture is made viable;

(4) the term "commercial" means having—
(A) private capital at risk; and

(B) primary financial and management responsibility for the activity reside with the private sector;

(5) the term "cost effective" means costing no more than the available alternatives, determined by a comparison of all related direct and indirect costs including, in the case of Government costs, applicable Government labor and overhead costs as well as contractor charges, and taking into account the ability of each alternative to accommodate mission requirements as well as the related factors of risk, reliability, schedule, and technical performance;

(6) the term "launch" means to place, or attempt to place, a launch vehicle and payload, if any, in a suborbital trajectory, in Earth orbit in outer space, or otherwise in outer space;

(7) the term "launch services" means activities involved in the preparation of a launch vehicle and its payload for launch and the conduct of a launch;

(8) the term "launch support facilities" means facilities located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, flight safety functions, and payload operations, control, and processing;

(9) the term "launch vehicle" means any vehicle constructed for the purpose of operating in, or placing a payload in, outer space or in suborbital trajectories, and includes components of that vehicle;

(10) the term "payload" means an object which a person undertakes to launch, and includes subcomponents of the launch vehicle specifically designed or adapted for that object;

(11) the term "payload integration services" means activities involved in integrating multiple payloads into a single payload for launch or integrating a payload with a launch vehicle;

(12) the term "space recovery support facilities" means facilities required to support activities related to the recovery of payloads returned from space to a space recovery site,

including operations and control, communications, flight safety functions, and payload processing;

(13) the term "space transportation infrastructure" means facilities, associated equipment, and real property, including launch sites, launch support facilities, space recovery sites, and space recovery support facilities, required to perform launch or space recovery activities;

(14) the term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

(15) the term "United States" means the States, collectively.

TITLE II—SPACE TRANSPORTATION

SEC. 201. EXTENSION OF GOVERNMENT PAYMENT OF EXCESS THIRD PARTY CLAIMS.

Section 16 of the Commercial Space Launch Act (49 U.S.C. App. 2615) is amended in subsection (b)(5) by striking "the date that is 5 years following the date of enactment of the Commercial Space Launch Act Amendments of 1988" and inserting in lieu thereof "January 1, 2000".

SEC. 202. REQUIREMENT TO PROCURE COMMERCIAL LAUNCH SERVICES.

(a) AMENDMENT.—Section 204 of the Launch Services Purchase Act of 1990 (42 U.S.C. 2465d) is amended to read as follows:

"SEC. 204. REQUIREMENT TO PROCURE COMMERCIAL LAUNCH SERVICES.

"(a) IN GENERAL.—Except as otherwise provided in this section, the Federal Government shall purchase launch services for its primary payloads, including suborbital payloads, from commercial providers whenever such services are required in the course of its activities.

"(b) EXCEPTIONS.—The Federal Government shall not be required to purchase launch services as provided in subsection (a) if the appropriate agency determines that—

"(1) the payload requires the unique capabilities of the space shuttle;

"(2) cost effective commercial launch services to meet mission requirements are not reasonably available, would not be reasonably available when required, and could not be made available in response to a procurement request;

"(3) the use of commercial launch services poses an unacceptable risk of loss of a unique scientific opportunity; or

"(4) the payload serves national security or foreign policy purposes.

Within 30 days after any such determination by the National Aeronautics and Space Administration, the Administrator shall notify the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in writing of the determination and its rationale.

"(c) REPORT ON SUBORBITAL PROGRAMS.—Not later than 1 year after the date of enactment of the Commercial Space Competitiveness Act of 1992, the Administrator of the National Aeronautics and Space Administration shall submit to Congress a report providing a plan for the National Aeronautics and Space Administration to make greater use of commercial launch services for its suborbital launch programs. Such plan shall identify planned or potential suborbital payloads which cannot utilize commercial launch services, and describe in detail why commercial launch services cannot meet the mission requirements or be made available in a reasonable and cost effective manner for such payloads.

"(d) FEDERAL GOVERNMENT LAUNCH VEHICLES.—Launch vehicles shall be acquired or owned by the Federal Government only—

"(1) as required under circumstances described in subsection (b); or

"(2) for conducting research and development on, and testing of, launch technology.

"(e) PHASE-IN PERIOD.—Subsections (a) and (d) shall not apply to launch services and launch vehicles for which a purchase contract has been signed before the date that is 180 days after the date of enactment of the Commercial Space Competitiveness Act of 1992.

"(f) HISTORICAL PURPOSES.—This title shall not be interpreted to prohibit the Federal Government from acquiring, owning, or maintaining launch vehicles solely for historical display purposes."

(b) EFFECTIVE DATE.—The application of such section 204 to suborbital payloads shall begin with respect to payloads scheduled for launch after December 31, 1993.

SEC. 203. PURCHASE OF LAUNCH SERVICES.

Section 205 of the Launch Services Purchase Act of 1990 (42 U.S.C. 2465e) is amended by striking "National Aeronautics and Space Administration" each place it appears and inserting in lieu thereof "Federal Government".

SEC. 204. LAUNCH VOUCHER DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a demonstration program to award vouchers for the payment of commercial launch services and payload integration services for the purpose of launching small payloads.

(b) AWARD OF VOUCHERS.—The Administrator shall award vouchers under subsection (a) to researchers, research teams, and research institutes as part of grants administered by the National Aeronautics and Space Administration for the development and construction of—

(1) payloads to be placed in suborbital trajectories; and

(2) small payloads to be placed in orbit.

(c) ASSISTANCE.—The Administrator may provide awardees with such assistance, including contract formulation and technical support during proposal evaluation, as may be necessary to ensure the purchase of cost effective and reasonably reliable commercial launch services and payload integration services.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report providing a plan for carrying out this section, identifying which planned or potential payloads will be included in the launch voucher demonstration program, and listing which commercially available launch vehicles will be included in the program.

SEC. 205. SPACE TRANSPORTATION INFRASTRUCTURE MATCHING GRANTS.

(a) FEDERAL GRANT PROGRAM.—The Secretary of Transportation may make grants for projects recommended pursuant to subsection (b) to assist the United States commercial space transportation industry and the States in financing—

(1) the improvement or development of space transportation infrastructure within the United States;

(2) the engineering and designing of such space transportation infrastructure projects; and

(3) technical studies to define how new or improved space transportation infrastructure can best meet the needs of the United States commercial space transportation industry.

(b) SELECTION OF PROJECTS.—(1) There is established a Selection Committee which shall include 1 representative each from the Department of Transportation, the Department of Defense, and the National Aeronautics and Space Administration. The Selection Committee shall be chaired by the

representative from the Department of Transportation.

(2) The Selection Committee shall review grant applications under this section and shall make recommendations to the Secretary of Transportation for awarding such grants.

(3) The Selection Committee shall take into account the following factors in its review of grant applications:

(A) The contribution of the proposed grant activity to industry capabilities which serve Federal space transportation needs.

(B) The extent of industry's financial contribution to the proposed grant activity.

(C) The extent of industry participation in the proposed grant activity.

(D) The positive impact of the proposed grant activity on the international competitiveness of the United States space transportation industry.

(E) The extent of State contributions to the proposed grant activity.

(F) The impact of the proposed grant activity on launch operations and other activities at Federal launch ranges.

(4) The Secretary of Transportation shall give preference to those applications with greater levels of industry financial contributions, all other factors being equal.

(c) LIMITATIONS AND CONDITIONS.—(1) The Federal grant for any project under this section shall not exceed 50 percent of the cost of such project.

(2) No grant shall be awarded under this section for projects for which less than 10 percent of the cost of such projects will be borne by the private sector.

(3) No grant shall be awarded under this section unless the Selection Committee determines that the applicant has or will have the legal, financial, and technical capacity to carry out the proposed project.

(4) For grant applications which propose to utilize Federal Government property, no grant shall be awarded without obtaining the specific consent of the appropriate agency head.

(5) For grant applications which do not propose to utilize Federal Government property, no grant shall be awarded under this section unless the Secretary of Transportation determines that the applicant—

(A) has or will have satisfactory continuing control, through operation or lease or otherwise, over the use of the facilities and the equipment for which the grant is provided; and

(B) has or will have sufficient capability to maintain the facilities and equipment, and will maintain such facilities and equipment.

SEC. 206. COMMERCIAL SPACE TRANSPORTATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Commercial Space Transportation Trust Fund (hereafter in this section referred to as the "Trust Fund"). The Trust Fund shall consist of all revenues from any fees assessed by the Department of Transportation for the licensing of commercial launch activities.

(b) PURPOSE.—Subject to the availability of appropriations, revenues deposited in the Trust Fund shall be used only to fund projects that directly benefit the United States space transportation industry.

(c) SELECTION OF PROJECTS.—The Secretary of Transportation shall select projects recommended by an Industry Selection Committee composed of 1 representative from each of the companies which have paid, or will have paid, fees described in subsection (a) within a period, not to exceed 2 years, to be determined by the Secretary of Transportation. Voting of such Industry Selection Committee shall be weighted according to the dollar amount of each company's fee payments within such period.

(d) LIMITATION.—Trust Fund revenues shall not be used to pay the operating or other expenses of the Department of Transportation.

SEC. 207. IDENTIFICATION OF LAUNCH SUPPORT FACILITIES.

(a) IDENTIFICATION.—The Administrator and the Secretary of Defense, as appropriate, in coordination with the Secretary of Transportation, shall conduct an inventory and identify all launch support facilities owned by the United States Government. To the extent practicable, the Administrator and the Secretary of Defense shall also identify any launch support facilities which could be made available for use by non-Federal entities on a reimbursable basis without interfering with Federal activities.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator and the Secretary of Defense each shall submit to Congress a report containing the results of the identification required under subsection (a). Portions of such report may be classified and protected from public disclosure if such classification is necessary to protect national security.

TITLE III—MISCELLANEOUS

SEC. 301. ANCHOR TENANCY AND TERMINATION LIABILITY.

(a) ANCHOR TENANCY CONTRACTS.—Subject to appropriations, the Administrator may enter into multiyear anchor tenancy contracts for the purchase of a good or service in order to increase the viability of a commercial space venture if the Administrator determines that—

(1) the good or service meets the mission requirements of the National Aeronautics and Space Administration;

(2) the commercially procured good or service is cost effective;

(3) the good or service is procured through a competitive process;

(4) existing or potential customers for the good or service other than the United States Government have been specifically identified;

(5) the long-term viability of the venture is not dependent upon a continued Government market or other nonreimbursable Government support; and

(6) private capital is at risk in the venture.

(b) TERMINATION LIABILITY.—(1) Contracts entered into under subsection (a) may provide for the payment of termination liability in the event that the Government terminates such contracts for its convenience.

(2) Contracts that provide for the payment of termination liability, as described in paragraph (1), shall include a fixed schedule of such termination liability payments. Liability under such contracts shall not exceed the total payments which the Government would have made after the date of termination to purchase the good or service if the contract were not terminated.

(3) Subject to appropriations, funds available for such termination liability payments may be used for purchase of the good or service upon successful delivery of the good or service pursuant to the contract.

(c) LIMITATIONS.—(1) Contracts entered into under this section shall not exceed 10 years in duration.

(2) Such contracts shall provide for delivery of the good or service on a firm, fixed-price basis.

(3) Such contracts shall provide for no payments to the contractor before successful delivery of the good or service, except to the extent that the Administrator considers such payments to be in the best interest of the United States.

(4) To the extent practicable, reasonable performance specifications shall be used to define technical requirements in such contracts.

(5) In any such contract, the Administrator shall reserve the right to terminate the con-

tract for cause without payment of termination liability in the event of a lack of adequate technical progress or the failure of the good or service to meet performance specifications of the contract.

SEC. 302. USE OF GOVERNMENT FACILITIES.

(a) AUTHORITY.—Federal agencies, including the National Aeronautics and Space Administration and the Department of Defense, may allow non-Federal entities to use their space-related facilities on a reimbursable basis if the Administrator, the Secretary of Defense, or the appropriate agency head determines that—

(1) the facilities will be used to support commercial space activities;

(2) such use can be supported by existing or planned Federal resources;

(3) such use is compatible with Federal activities;

(4) equivalent commercial services are not available on reasonable terms; and

(5) such use is consistent with public safety, national security, and international treaty obligations.

In carrying out paragraph (5), each agency head shall consult with appropriate Federal officials.

(b) REIMBURSEMENT PAYMENT.—(1) The reimbursement referred to in subsection (a) may be an amount equal to the direct costs (including salaries of United States civilian and contractor personnel) incurred by the United States as a result of the use of such facilities by the private sector. For the purposes of this paragraph, the term "direct costs" means the actual costs that can be unambiguously associated with such use, and would not be borne by the United States Government in the absence of such use.

(2) The amount of any payment received by the United States for use of facilities under this subsection shall be credited to the appropriation from which the cost of providing such facilities was paid.

SEC. 303. PROTECTION OF INFORMATION DEVELOPED UNDER SPACE ACT AGREEMENTS.

Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) by inserting "(a)" after "SEC. 303.";

(2) by striking "and (B)" and inserting in lieu thereof "(B)";

(3) by inserting ", and (C) information described in subsection (b)" after "national security"; and

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

"(b) The Administrator, for a period of up to 5 years after the development of information that results from activities conducted under an agreement entered into under section 203(c) (5) and (6) of this Act, and that would be a trade secret or commercial or financial information that is privileged or confidential under the meaning of section 552(b)(4) of title 5, United States Code, if the information had been obtained from a non-Federal party participating in such an agreement, may provide appropriate protections against the dissemination of such information, including exemption from subchapter II of chapter 5 of title 5, United States Code."

SEC. 304. COMMERCIAL SPACE ACHIEVEMENT AWARD.

(a) ESTABLISHMENT.—There is established a Commercial Space Achievement Award. The award shall consist of a medal, which shall be of such design and materials and bear inscriptions as determined by the Secretary of Commerce. A cash prize may also be awarded if funding for the prize is available under subsection (d).

(b) CRITERIA FOR AWARD.—The Secretary of Commerce shall periodically make, and the Chairman of the National Space Council shall present, awards under this section to

individuals, corporations, corporate divisions, or corporate subsidiaries substantially engaged in commercial space activities who in the opinion of the Secretary of Commerce best meet the following criteria:

(1) For corporate entities, at least one-half of the revenues from the space-related activities of the corporation, division, or subsidiary is derived from sources other than the United States Government.

(2) The activities and achievements of the individual, corporation, division, or subsidiary have substantially contributed to the United States gross national product and the stature of United States industry in international markets, with due consideration for both the economic magnitude and the technical quality of the activities and achievements.

(3) The individual, corporation, division, or subsidiary has substantially advanced space technology and space applications directly related to commercial space activities.

(c) LIMITATIONS.—No individual or corporate entity may receive an award under this section more than once every 5 years.

(d) FUNDING FOR AWARD.—The Secretary of Commerce may seek and accept gifts of money from public and private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, only such money may be used for that purpose, and the Secretary of Commerce shall make publicly available an itemized list of the sources of such funding.

SEC. 305. USE OF DOMESTIC PRODUCTS.

(a) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—(1) A person shall not intentionally affix a label bearing the inscription of "Made in America", or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product.

(2) A person who violates paragraph (1) shall not be eligible for any contract for a procurement carried out with amounts authorized under this Act, including any subcontract under such a contract pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations, or any successor procedures thereto.

(b) COMPLIANCE WITH BUY AMERICAN ACT.—(1) Except as provided in paragraph (2), the head of each agency which conducts procurements shall ensure that such procurements are conducted in compliance with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the "Buy American Act").

(2) This subsection shall apply only to procurements made for which—

(A) amounts are authorized by this Act to be made available; and

(B) solicitations for bids are issued after the date of enactment of this Act.

(3) The Administrator, before January 1, 1994, shall report to the Congress on procurements covered under this subsection of products that are not domestic products.

(c) DEFINITIONS.—For the purposes of this section, the term "domestic product" means a product—

(1) that is manufactured or produced in the United States; and

(2) at least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶98.30 ADJOURNMENT OVER

On motion of Mr. LEWIS of Georgia, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, August 10, 1992.

¶98.31 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. LEWIS of Georgia, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, August 12, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶98.32 CHILDHOOD CANCER MONTH

On motion of Mr. SAWYER, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution (H.J. Res. 492) designating September 1992, as "Childhood Cancer Month".

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶98.33 82D AIRBORNE DIVISION

On motion of Mr. SAWYER, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 270) to designate August 15, 1992, as "82d Airborne Division 50th Anniversary Recognition Day".

When said joint resolution was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶98.34 SUBPOENA

The SPEAKER pro tempore, Mr. TORRES, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 6, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L of the Rules of the House, that the Custodian of Records of my office has been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely yours,

DAN ROSTENKOWSKI.

¶98.35 SUBPOENA

The SPEAKER pro tempore, Mr. TORRES, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,

Washington, DC, August 6, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L of the Rules of the House, that the Custodian of Records of my office has been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely,

JOE KOLTER.

¶98.36 ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4437. An Act to authorize funds for the implementation of the settlement agreement reached between the Pueblo de Cochiti and the United States Army Corps of Engineers under the authority of Public Law 100-202.

¶98.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CLEMENT, for today after 1 p.m.; and

To Mr. GORDON, for today after 1:15 p.m.

And then,

¶98.38 ADJOURNMENT

On motion of Mr. WASHINGTON, pursuant to the special order heretofore agreed to, at 9 o'clock and 55 minutes p.m., the House adjourned until 12 o'clock noon on Monday, August 10, 1992.

¶98.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 5008. A bill to amend title 38, United States Code, to reform the formula for payment of dependency and indemnity compensation to survivors of veterans dying from service-connected causes, and for other purposes (Rept. No. 102-753, Pt. 2). Ordered to be printed.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4715. A bill to authorize expenditures for fiscal year 1993 for the operation and maintenance of the Panama Canal, and for other purposes; with an amendment (Rept. No. 102-790). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. S. 1029. An act to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; with an amendment (Rept. No. 102-810, Pt. 1). Ordered to be printed.

Mr. FORD of Michigan: Committee of Conference. Conference report on H.R. 3033 (Rept. No. 102-811). Ordered to be printed.

Mr. ASPIN: Committee on Armed Services. H.R. 4164. A bill to provide for the transfer of excess land to the Government of Guam, and for other purposes; with an amendment (Rept. No. 102-812, Pt. 1). Ordered to be printed.

Mr. ASPIN: Committee on Armed Services. H.R. 4404. A bill to withdraw and reserve certain public lands and minerals within the State of Colorado for military uses, and for