AMENDMENT NO. _______ Calendar No._____

Purpose: In the nature of a substitute.


S. 4827

To authorize the Assistant Secretary of Space Commerce to provide space situational awareness data, information, and services to non-United States Government entities, and for other purposes.

Referred to the Committee on ______________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. WICKER (for himself, Ms. CANTWELL, and Ms. SINEMA)

Viz:

1  Strike all after the enacting clause and insert the follow-

2  ing:

3  SECTION 1. SHORT TITLE.

4  This Act may be cited as the “Space Preservation

5  and Conjunction Emergency Act of 2020” or the “SPACE

6  Act”.

7  SEC. 2. SENSE OF CONGRESS.

8  It is the sense of Congress that—

9  (1) the increasingly congested nature of the

10  space environment requires immediate action to ad-
dress the threat of collisions between spacecraft and
orbital debris;

(2) such collisions threaten the billions of dol-

lars of existing United States and allied spacecraft,
including the International Space Station, and en-
danger the future usability of space;

(3) the provision of accurate and timely notice
to commercial satellite operators with respect to po-
tential conjunctions enhances safety;

(4) a 2020 National Academies for Public Ad-
ministration study identified the Department of
Commerce as the preferred Federal agency to man-

age, process, and disseminate space situational
awareness data to commercial satellite operators;

and

(5) given the growing space economy, elevating
the Office of Space Commerce within the Depart-
ment of Commerce may enhance the ability of the
Office of Space Commerce—

(A) to promote space safety through future
space situational awareness and space traffic
management efforts; and

(B) to coordinate with other Federal agen-
cies and foreign entities.
SEC. 3. DEFINITIONS.

In this Act:

(1) CENTER.—The term “Center” means a Center of Excellence for Space Situational Awareness established under section 5.

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) ORBITAL DEBRIS.—The term “orbital debris” means any space object that—

(A) remains in orbit; and

(B) no longer serves any useful function or purpose.

(4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(5) SPACE OBJECT.—The term “space object” means any object launched into space or created in space by humans.

(6) SPACE SITUATIONAL AWARENESS.—The term “space situational awareness” means—

(A) the identification and characterization of space objects and orbital debris; and

(B) the understanding of the manner in which space objects and orbital debris behave in space.
SEC. 4. SPACE SITUATIONAL AWARENESS DATA, INFORMATION, AND SERVICES: PROVISION TO NON-UNITED STATES GOVERNMENT ENTITIES.

(a) In general.—Chapter 507 of title 51, United States Code, is amended by adding at the end the following:

“§ 50704. Space situational awareness data, information, and services: provision to non-United States Government entities

“(a) Space Situational Awareness Program.—

“(1) Requirement.—Pursuant to the authority provided in section 50702, the Director of Space Commerce, in coordination with appropriate entities within the Department of Commerce and the heads of other relevant Federal agencies—

“(A) shall carry out a program to improve the collection, processing, and dissemination of space situational awareness data, information, and services;

“(B) subject to paragraph (2), may provide such data, information, and services to 1 or more eligible entities described in subsection (b); and

“(C) may obtain such data, information, and services from 1 or more such eligible entities.
“(2) TYPE OF INFORMATION PROVIDED.—

“(A) IN GENERAL.—Data and information provided to eligible entities under paragraph (1)(B) shall be safety-related and unclassified.

“(B) NATIONAL SECURITY.—The Secretary of Commerce, in consultation with the Secretary of Defense and the heads of other relevant Federal agencies, shall develop a policy to determine the type of information that may be provided under paragraph (1) without compromising the national security interests of the United States.

“(b) ELIGIBLE ENTITY DESCRIBED.—An eligible entity described in this subsection is any non-United States Government entity, including—

“(1) a State;

“(2) a political subdivision of a State;

“(3) a United States commercial entity;

“(4) the government of a foreign country; and

“(5) a foreign commercial entity.

“(c) PUBLIC SERVICES.—

“(1) IN GENERAL.—The Secretary of Commerce shall designate a basic level of space situational awareness data, information, and services to be provided at no charge to 1 or more eligible enti-
ties described in subsection (b), which shall include public services, free of charge, such as—

“(A) a public catalog of tracked space objects;

“(B) emergency conjunction notifications;

and

“(C) any other data or services the Director of Space Commerce considers appropriate.

“(2) LIMITATION.—The Secretary of Commerce may not provide any data or services under paragraph (1)(C) that compete with products offered by United States commercial entities.

“(d) ADVANCED SERVICES.—The Secretary of Commerce may undertake activities to promote the development of advanced space situational awareness data, information, and services to foster the growth of a global space safety industry.

“(e) PROCEDURES.—The Secretary of Commerce shall establish procedures by which the authority under this section shall be carried out.

“(f) IMMUNITY.—The United States, any agency or instrumentality thereof, and any individual, firm, corporation, or other person acting for the United States shall be immune from any suit in any court for any cause of action arising from the provision or receipt of space situa-
national awareness data, information, or services, whether or not provided in accordance with this section, or any related action or omission.

§ 50705. Authorization of appropriations

There is authorized to be appropriated to the Secretary of Commerce to carry out this chapter $15,000,000 for fiscal year 2021.”.

(b) Technical and Conforming Amendment.— The table of sections for chapter 507 of title 51, United States Code, is amended by inserting after the item relating to section 50703 the following:

“50704. Space situational awareness data, information, and services: provision to non-United States Government entities.

“50705. Authorization of appropriations.”.

SEC. 5. CENTERS OF EXCELLENCE FOR SPACE SITUATIONAL AWARENESS.

(a) In General.—Subject to appropriations, the Secretary shall award grants to eligible entities to establish 1 or more Centers of Excellence for Space Situational Awareness to advance scientific, technological, transdisciplinary, and policy research in space situational awareness.

(b) Purposes.—Each Center shall—

(1) conduct transdisciplinary research, development, and demonstration projects related to detecting, tracking, identifying, characterizing, modeling,
and minimizing space safety, security, and sustainability risks to improve—

(A) space situational awareness and the development of open-architecture resources for improved space safety, security, and sustainability;

(B) the unique identification, tracking, classification, prediction, and modeling of orbital debris and space objects;

(C) the monitoring, quantification, assessment, modeling, and prediction of space operations and environmental threats and hazards, including in space collisions;

(D) peer exchange and documentation of evidence-based practices, policies, laws, and regulations related to orbital debris mitigation and remediation; and

(E) sharing, modeling, and curation of data related to orbital debris, space objects, and the environment of orbital debris and space objects;

(2) conduct policy research related to space safety, security, and sustainability so as to improve sharing of common data and legal standards related to orbital debris;
(3) leverage non-Federal sources of support to improve space situational awareness and minimize space safety, security, and sustainability risks; and

(4) draw on commercial capabilities and data, as appropriate.

(e) Eligible Entities.—

(1) In general.—To be eligible for a grant under this section, an entity shall be a consortium led by—

(A) an institution of higher education; or

(B) a nonprofit organization.

(2) Membership of Consortium.—The consortium referred to in paragraph (1) may include 1 or more—

(A) commercial entities;

(B) Federal laboratories, including Department of Defense research laboratories; and

(C) other institutions of higher education or nonprofit organizations.

(d) Considerations.—In awarding grants under this section, the Secretary shall consider, at a minimum—

(1) the potential of a proposed Center—

(A) to improve the science and technology of space situational awareness; and
(B) to reduce the amount of space safety, security, and sustainability risks; and

(2) the commitment of financial support, advice, participation, and other contributions from non-Federal sources.

(e) GRANT PERIOD.—A grant awarded under this section shall be awarded for a period of 5 years.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.