

Peters - Wicker, 1 (as modified)



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 434

To establish the Commercial Space Activity Advisory
Committee, 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 _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Space Commerce Advi-
5 sory Committee Act”.

6 SEC. 2. DEFINITIONS.

7 In this Act:

8 (1) SECRETARY.—The term “Secretary” means
9 the Secretary of Commerce, acting through the Of-
10 fice of Space Commerce.

11 (2) STATE.—The term “State” means each of
12 the several States of the United States, the District

1 of Columbia, the Commonwealth of Puerto Rico, the
2 United States Virgin Islands, Guam, American
3 Samoa, the Commonwealth of the Northern Mariana
4 Islands, and any other commonwealth, territory, or
5 possession of the United States.

6 (3) UNITED STATES ENTITY.—The term
7 “United States entity” means—

8 (A) an individual who is a national of the
9 United States (as defined in section 101(a) of
10 the Immigration and Nationality Act (8 U.S.C.
11 1101(a))); and

12 (B) a nongovernmental entity organized or
13 existing under, and subject to, the laws of the
14 United States or a State.

15 **SEC. 3. COMMERCIAL SPACE ACTIVITY ADVISORY COM-**
16 **MITTEE.**

17 (a) ESTABLISHMENT.—Not later than 180 days after
18 the date of the enactment of this Act, the Secretary shall
19 establish a Commercial Space Activity Advisory Com-
20 mittee (in this section referred to as the “Committee”).

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The Committee shall be
23 composed of 15 members appointed by the Sec-
24 retary.

25 (2) QUALIFICATIONS.—

1 (A) IN GENERAL.—The Committee shall be
2 composed of representatives from a variety of
3 space policy, engineering, technical, science,
4 legal, academic, and finance fields who have sig-
5 nificant experience in the commercial space in-
6 dustry, which may include previous Government
7 experience.

8 (B) LIMITATION.—

9 (i) IN GENERAL.—Except as provided
10 in clause (i), the Secretary may not ap-
11 point as a member of the Committee any
12 employee or official of the Federal Govern-
13 ment.

14 (ii) EXCEPTION.—The Secretary may
15 appoint as a member of the Committee a
16 special government employee (as defined in
17 section 202(a) of title 18, United States
18 Code) who serves on 1 or more other Fed-
19 eral advisory committees.

20 (3) TERM.—Each individual appointed as a
21 member of the Committee—

22 (A) shall be appointed for a term of not
23 more than 4 years; and

1 (B) during the 2-year period beginning on
2 the date on which such term ends, may not
3 serve as a member of the Committee.

4 (c) DUTIES.—The duties of the Committee shall be—

5 (1) to advise on the status and recent develop-
6 ments of nongovernmental space activities;

7 (2) to provide to the Secretary and Congress
8 recommendations on the manner in which the
9 United States may facilitate and promote a safe,
10 sustainable, robust, competitive, and innovative com-
11 mercial sector that is investing in, developing, and
12 conducting space activities within the jurisdiction of
13 the Department of Commerce, including through the
14 development and implementation of any regulatory
15 framework applicable to the commercial space indus-
16 try.

17 (3) to identify, and provide recommendations in
18 response to, any challenge faced by the United
19 States commercial sector relating to—

20 (A) the application of international obliga-
21 tions of the United States relevant to commer-
22 cial space sector activities in outer space;

23 (B) export controls that affect the com-
24 mercial space sector;

1 (C) harmful interference with commercial
2 space sector activities in outer space; and

3 (D) access to adequate, predictable, and
4 reliable radio frequency spectrum;

5 (4) to review existing best practices for United
6 States entities to avoid—

7 (A) the harmful contamination of the
8 Moon and other celestial bodies; and

9 (B) adverse changes in the environment of
10 the Earth resulting from the introduction of ex-
11 traterrestrial matter; and

12 (5) to provide information, advice, and rec-
13 ommendations on matters relating to—

14 (A) United States commercial space sector
15 activities in outer space; and

16 (B) other commercial space sector activi-
17 ties, as the Committee considers necessary.

18 (d) TERMINATION.—The Committee shall terminate
19 on the date that is 10 years after the date on which the
20 Committee is established.